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Tros Tyriusque mihi nullo discrimine agetur.

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NORTH AMERICAN REVIEW.

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NORTH AMERICAN REVIEW.

No. CCCXXXIX.

FEBRUARY, 1885.

HOW SHALL THE PRESIDENT BE ELECTED?

THE clause of the Constitution of the United States that prescribes the manner in which the President and Vice-President shall be elected, was adopted only a short time before the adjournment of the convention. It was a substitute for a provision that had, in principle, already received the approval of the body among its earliest acts, and had been re-affirmed in successive reconsiderations of the subject. Nobody can rise from a perusal of the journal of the convention without being thoroughly convinced that that original provision embodied the deliberate judgment of the majority (we may say, perhaps, of the entire body, since the votes were occasionally unanimous) as to the wisest mode of disposing of this difficult subject. At the opening of the convention, late in May, 1787, a series of resolutions was introduced by Edmund Randolph, of Virginia, which formed the principal text of a long-continued discussion of the provisions that the new Constitution ought to embrace. The first clause of one of these was in the following words:

"*Resolved*, That a national executive be instituted, to be chosen by the national legislature for the term of years."

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Four days later this was adopted, the blank having been filled with the word "seven." Two months later still, in the first draft of the Constitution reported from committee, this provision re-appeared in the following form:

> "The executive power of the United States shall be vested in a single person. . . . . He shall be elected by ballot by the legislature. He shall hold his office during a term of seven years; but he shall not be elected a second time."

Another month elapsed, in the course of which the details of the reported Constitution were critically examined; and on the last day of that month, all matters that had not been finally disposed of, among which was the manner of electing a President, were referred to a committee consisting of one member from each State. It was on the recommendation of this committee that the provision on this subject was adopted which was finally incorporated into the Constitution of 1787—a provision which, with a slight modification not affecting the mode of election, still stands in the twelfth amendment. And it is the unfortunate change thus made in the text of the Constitution as first drawn up which has entailed upon us the perpetually recurring scenes of angry political controversy and wild public excitement that have marked the close of each presidential term. So grave have become these evils, that peaceful citizens are beginning to tremble at the approach of a presidential election; and men of business hold their breath and curtail their operations, as experienced mariners take in sail in anticipation of a coming hurricane. No consequence could have been more wholly unlooked for than this, by the authors of the provision that has proved to be so mischievous. On the other hand, the plausibility of the proposition to confide the selection of a chief magistrate to a council composed of "the wisest, virtuousest, discreetest, best" of the nation, seems momentarily to have captivated the imaginations and disturbed the judgments of those sages of the Revolution to such a degree, that they actually believed they should be able by this expedient to lift this purely mundane question to a region far above the influence of vulgar human passion. Singularly enough, too, the contemporary generation of their countrymen seems to have accepted this part of their work at the valuation put upon it by themselves; for, while every other provision of the Constitution

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was the subject of very sharp and even condemnatory criticism in one quarter or another, and the acceptance of the entire instrument, long doubtful, was finally secured only with great difficulty, this seems to have received some moderate commendation from those who noticed it at all. In No. 68 of "The Federalist," Mr. Hamilton expresses himself in these words:

> "It was desirable that the sense of the people should operate in the choice of the person to whom so important a trust was to be confided. . . . . It was equally desirable that the immediate election should be made by men capable of analyzing the qualities adapted to the station, and acting under circumstances favorable to deliberation, and to a judicious combination of all the reasons and inducements that were proper to govern their choice. A small number of persons, selected by their fellow-citizens from the general mass, will be most likely to possess the information and discernment requisite to so complicated an investigation. It was also peculiarly desirable to afford as little opportunity as possible to tumult and disorder. This evil was not least to be dreaded in the election of a magistrate who was to have so important an agency in the administration of the government."

This was the theory; the contrast between the anticipation and the experimental result is almost ludicrous. Had there never been any such thing as political parties in the country, the practice might have corresponded more nearly with the expectation. During Washington's time there were no parties, and at each election in which he was a candidate every Elector gave him his vote. Party nominations were first made in 1800, and the Electors, however well qualified "to analyze" in candidates "the qualities adapted to the station," and to act with "a judicious combination of all the reasons that were proper to govern their choice," very quietly shut their eyes, declined to take the trouble of analysis, and voted for their party nominees. And so have their successors continued to do in every election since. The members of the Electoral College are thus reduced to the ridiculous attitude of mere automata. Ever since 1800 they have exercised no more important or dignified function than that of mechanically depositing ballots already prepared for them. It is evident, therefore, that an amendment of the Constitution is to be desired, if it were only to rid us of this electoral rubbish.

But the Electoral College, useless as it has become as a piece of our political machinery, is at least harmless; and an amendment that should stop with its abolition would do nothing to

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avert those grave evils and even serious dangers which, as experience has proved to us, are of unavoidable recurrence, under our present system, in every closely contested presidential struggle. As examples of these evils may be enumerated the long-continued agitation and excitement of the public mind persisting for months together, embarrassing interruption to the regular operations of business, protracted anxiety on the part of multitudes who have, or imagine that they have, important interests at stake in the contest, attempts to corrupt or intimidate voters or to exclude them from the polls, the fabrication and circulation of false statements on the eve of election, and frauds upon the ballot-boxes. To these may be added the disgraceful practice of trading votes, frequent among the low political intriguers of our larger towns — transactions known in the slang of their own vulgar circles as "deals," in which a manager accepts one of the candidates of the opposing party for the sake of an equivalent in votes for another on his own ticket; and, finally, the degradation of the political press, which lends itself to the lowest abuse of opposing candidates.

Still another very grave evil is connected with these contests, to which, as it seems to me, attention has not been sufficiently directed, and that is the obstruction that the question of the presidential succession interposes in the way of Congressional legislation. Owing to this, the second Congress in every presidential term is to a great degree paralyzed for usefulness. During the first session of that Congress, every measure of great and general interest is invariably thrust aside, on the ground that a presidential election is impending, and that any action might prejudice the prospects of the party responsible for it. The second session is equally unproductive, for the reason that a presidential election has just taken place, and all such questions must be left to the new administration. Thus, although in the forty-eighth Congress, still in existence, there was a majority in favor of some reform of the oppressive tariff under which the country is suffering, and though the prevalence of this feeling was made manifest in the choice of Speaker, yet the shadow of the approaching presidential contest benumbed the spirit of both parties alike, and deprived them of the courage of their opinions. Even so moderate a measure as that proposed by Mr. Morrison was deemed to involve too serious a hazard, and it failed for lack of support from many who approved it in

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their hearts. We are told that we have nothing better to expect during the present session, because there is not time, in the small lease of life that remains to Congress, to mature a measure of such importance. Time is not the thing that is wanting, but courage; and it is a very serious fact, which our people would do well to ponder, that, owing to the reflex action of our vicious system of presidential elections, the national legislature, for two years out of every four, is mentally incapacitated for the discharge of its proper functions.

These are grave evils, but graver still are those angry disputes that have arisen, and are liable continually to arise, over the final count, resulting from real or asserted falsification of the Electoral vote, or from conflicting returns and duplicate certificates from the same States. The danger is that the disappointed party may appeal to open violence in support of their claims, and plunge the nation into civil war. A catastrophe like that was near befalling us in 1876, from which we were saved mainly by the moderation and patriotism of the Democratic candidate. With a defeated competitor as passionate and as self-willed as the soldier President of 1828, the result might have been very different. And in the contest that has just ended, there were many who for a time believed we were very near a similar crisis, though with a pretext far less plausible. If the electoral system is to be retained in form as provided in the Constitution, legislation is necessary to secure the final settlement of controversies in regard to the result of the election in each State, by judicial proceedings within the States themselves; so that the certificates forwarded to Washington shall be conclusive, and nothing shall remain for Congress to do but to sum up the returns and announce the names of the successful candidates. Very judicious propositions to this effect have been laid before Congress from time to time, without receiving the attention they deserved; as, for example, the joint resolution offered in the Senate by Mr. Eaton, of Connecticut, in November, 1877, and the House bill of Mr. Hewitt, of New York, introduced in February, 1882. Better than this, however, the Electors might be appointed directly by the State legislatures. New York, Delaware, South Carolina, and Vermont appointed them in this manner down to 1824; Georgia did the same, except in the single election of 1796, when she resorted to the general ticket; and Connecticut maintained the practice down to 1820. Other States

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employed this alternately with other methods. Massachusetts, for example, employed the district-ticket system in the first three elections, legislative appointment in the fourth, the general ticket in the fifth, the legislative in the sixth, the district system in the seventh, the legislative in the eighth, the district system in the ninth and tenth, and she has employed the general ticket ever since. New Jersey practiced appointment by legislature down to 1816, and South Carolina till 1868, in which two years these States resorted severally to the method of general ticket.*

This plan, however, which the fact of so general and so long-continued persistence in it proves to have nothing about it objectionable, and which obviates most of the evils attendant on the mode of election now universally practiced, is nevertheless objectionable equally with that, in the respect that it throws the entire electoral vote of the State in favor of one party, when it may happen that the numerical difference between the two great parties is insignificant, and in case there are minor parties in the field, the prevailing party may be in a minority. This happened in the late election in New York, in which Mr. Cleveland's plurality was only about one thousand, and he was actually in a minority of more than forty thousand. In 1844, the fate of the entire election was determined by the vote of New York; and the vote of New York was thrown for a candidate that was in a popular minority in the State of more than ten thousand votes. The contest was between Mr. Polk and Mr. Clay. The issue was annexation of Texas and extension of slavery on the one hand, and anti-annexation and free-soil on the other. Mr. Clay was anti-annexation and anti-extension, but he was a citizen of a slave State, and he was not an abolitionist. The extreme Free-soilers, therefore, nominated James G. Birney as a third candidate, and the fifteen thousand votes they gave to him, which would otherwise naturally have gone to Mr. Clay, lost New York to the latter by about five thousand votes, and thus gave the election to his competitor. In the last election, had the electoral vote of New York been divided between the parties in the proportion of their voting strength, Mr. Cleveland would have received only seventeen votes, and Mr. Blaine would have received seventeen, while Mr. St. John and General Butler would have had one vote each. It is evident

* I am indebted for these particulars to my young friend, Charles A. O'Neill, Esq., of this city, who has made a study of the subject.

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that the application of this principle in all the States might sometimes have the effect to reverse the decision of the Electoral College as given under the provisions of the Constitution; and in fact that it must do so whenever the defeated candidate has heavy popular majorities in the States that support him, while his competitor succeeds in others by light ones.

Presidents have come into power with a popular majority against them. This was true in the election of 1844, when Mr. Polk's vote was 24,000 below that of the united opposition. It was true in the case of General Taylor in 1848, when Mr. Van Buren, the nominee of the Free-soilers, drew off a very heavy body of partisans, so that the successful candidate was in a popular minority of 151,000. In 1856 Mr. Buchanan was elected, though outnumbered in the popular vote by 377,000. Mr. Lincoln came into the Presidency in 1860 (there being three opposing candidates), though failing of an absolute majority by a number nearly as large — 354,000. In 1876 the honesty of the popular vote in several of the States was disputed, but the majority against the successful candidate, Mr. Hayes, was apparently not far from 250,000.

In the election of Electors by State legislatures, the injustice of throwing the solid vote of the State for one party only might be obviated by applying the principle above applied to the popular vote, and dividing the Electors between the parties in the proportion of their strength in the legislature itself. Or, according to a plan suggested some years since by the present writer, the lower house of each legislature might resolve itself into committees, equal in number to the number of Congressional districts in the State, each committee composed of all the delegates from a particular Congressional district and having power to choose one Elector; the Senatorial Electors to be elected by the State Senate, or dispensed with altogether. Though this suggestion was not received with favor, the plan it proposes is entirely feasible, and it is obviously more just than that which was long and very generally practiced, of choosing the entire Electoral College of each State by the entire legislature.

In proceeding to consider whether it is possible to devise any remedy for the evils that environ this difficult question, it is worth while to look back to the proceedings of the Convention of 1787, and inquire what were the expedients then suggested for securing, peacefully and fairly, the appointment of a chief

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executive. We find that there were eleven, which may be stated as follows, the name of the proposer being annexed in each case, except where the record is silent in regard to it:

1. By the national legislature. Edmund Randolph, of Virginia.
2. By the State executives. Elbridge Gerry, of Massachusetts.
3. By the Congress constituted as under the articles of Confederation. William Patterson,* of New Jersey.
4. By electors to be chosen by electors to be chosen by the people. Alexander Hamilton, of New York.
5. By electors to be chosen by the people of the States (general ticket).
6. By electors to be chosen by the people in districts. James Wilson, of Pennsylvania.
7. By electors to be appointed by the State legislatures. Oliver Ellsworth, of Connecticut.
8. By electors to be taken by lot from the national legislature. James Wilson, of Pennsylvania.
9. By the national legislature, each State having one vote.
10. By the direct vote of the whole people.
11. By electors to be chosen for each State, in such manner as the legislature thereof may direct. Committee of August 31, 1787. Adopted.

To these may be added the following propositions more recently made:

12. Direct election by the people, in districts, without personal electors. Senator O. P. Morton, of Indiana, in 1873.
13. By the people of the States, in general ticket, the electoral votes to be divided in proportion to the voting strength of parties. Proposed above.
14. By State legislatures, the electoral vote to be divided in proportion to the voting strength of parties in the same. Proposed above.
15. By the lower houses of State legislatures in committees composed severally of the delegates from the several Congressional districts. Proposed by this writer in 1877.

I am compelled to avow it as my most profound conviction that the only assured security for the future possible to us against the formidable dangers that surround the question, is to be found in a return to the plan of placing the election of the President in the hands of the national legislature, which commended itself so strongly to the wisdom of the fathers.

The members of Congress possess necessarily all the qualities of fitness that are possible to be looked for in any electoral college; although, as the system works at present, it is of no

* Mr. Patterson proposed a revision of the articles of Confederation rather than a new constitution.

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consequence whether Electors are fit or not. Congressmen represent, as the Electors of the present system do not, the people of limited districts, and therefore, when political opinion in a State is divided, the Congressional delegation of the State is divided also, and will not commit the injustice that is now invariably committed, of throwing the entire vote of the State in favor of one party. But in an election by Congress the quality of fitness in the electors would have a significance that it has not under the present system, for the Members of Congress, if not in all cases accomplished statesmen, are nevertheless much more familiar with affairs of state, and much more competent to act on and decide political questions than the average citizen. It may be said that the caucus would replace the convention; but the caucus of the dominant party will in such case become itself the electoral body. Congress affords us an Electoral College in which the theory of the fathers of the Constitution is a reality. Moreover, since it would be impossible, by any process, to bring together an equal number of men more capable of representing the party interests or the party intelligence, it is certain that we cannot expect from any other electoral body, however constituted, a more judicious or satisfactory appointment of a President.

In the cases in which, under the Constitution, an election by the Electoral College fails, examples of which we have had in 1800 and 1824, the choice of President already devolves upon one of the houses of Congress. Had every election from 1788 downward been decided by Congress, especially with the exclusion of the provision that requires the vote to be taken by States, in general the same parties that were actually successful would have prevailed. Whenever a case like that of 1800 or that of 1824 occurs, it happens, under the Constitution as it stands, that the election is made by an outgoing Congress. This, in some points of view, is advantageous, and in others the reverse. It is advantageous in that it finds members free from liability to be influenced by considerations as to their own reëlection, a new Congress having been already chosen, and a new term being about to begin. It is an advantage also, that, having been elected more than a year before, they have not been chosen merely *ad hoc*, but their selection has been determined by general considerations of public policy; so that, while they would continue generally to represent the bias of political

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opinion among their constituents, they would be untrammeled by any special instructions or pledges. It is a disadvantage, however, that, in case of the occurrence of such a remarkable and sudden change of public opinion as we have occasionally seen, the new Congress might not be politically in harmony with the old, nor, by consequence, with the executive elected by it.

Should the Constitution be so amended as to throw the presidential election into the hands of Congress, it would, therefore, be well to adjust the limitations of the terms of service so that the election may be made by an incoming Congress, and be in fact its first duty after its own organization. The President would thus be secure of a sympathetic legislature, and we should be spared the conflicts that we have seen so often between coördinate departments of our Federal government. Curiously enough, these conflicts have been more persistent and more bitter between Congress and the Presidents that have received the office through the vice-presidency than with those that have been directly chosen. The pitiable histories of the administrations of John Tyler, Millard Fillmore, and more strikingly still of Andrew Johnson, illustrate this remark,—a remark which, but for the prudence and good sense that have distinguished the official life and conduct of our present excellent chief magistrate, might seem to indicate a law. It is greatly to be hoped that, under an improved system of election, whatever it may be, there will be no more successions to the presidency by inheritance. In such cases, at least, let Congress fill the vacancy. Though the President may die, Congress is a body that never dies, and may make a new election without delay. Should even such a calamity befall as the death of the President during the recess, Congress might be called together by telegraph, and re-assemble within a week. A Vice-President would be no longer necessary. The President *pro tem.* of the Senate might also be President *pro tem.* of the United States for the few days of unavoidable interregnum.

The contemporary republic of France has afforded us a felicitous illustration of the working of this principle. Three successive Presidents have been elected by the French Chambers without excitement or danger to the peace, and with the result of maintaining an executive in harmony with the legislative body. The parliamentary and ministerial government of Great Britain furnishes another example, which, in so far as the principle involved is concerned, is equally in point. The Commons do not

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make the ministry, it is true, but they unmake it; and all the power of the Queen is not sufficient to make a new one unacceptable to them. And there is not a government in the world in which the transfer of power from one party to another is accomplished more peacefully or more satisfactorily to the people that live under it than that of the British Empire.

These reasons are conclusive with me; yet I am aware that the plan I propose is not likely to find general acceptance. The plan that will probably prove to be most popular, and, if we have any change at all, is most likely to be preferred, is that of election by the people directly. There is something about this plan well calculated to catch the popular fancy, and it will probably be claimed that it is more in harmony with the democratic principle than any other. Senator Morton, in his speech on the subject in the Senate in 1873, advocated this view with great eloquence, and in a manner well adapted to win the approval of the multitude, yet hardly likely to convince thinking men. The Senator's principal argument is this: that, in the choice of a chief magistrate, every citizen has a right to give his vote for the man of his choice; whereas, under our present system, he is compelled to vote for the choice of somebody else, or lose his vote altogether. We may admit this without being able to perceive the hardship. If the man whom an individual voter prefers is not also the preference of several millions of his countrymen besides, his vote is of no avail, and he might as well not cast it. In other words, votes are not worth the paper they are printed on, without organization and united action among the voters. If, by an amendment of the Constitution, the election should be made direct, party conventions will continue to name candidates precisely as they do now, and individuals will continue to cast their votes as completely under dictation as they do at present, unless, out of mere caprice, they choose to throw them away. Senator Morton's argument, therefore, is the flimsiest sort of fallacy.

But Senator Morton argued further that the electoral system operates unjustly to the whole people, in the respect that under it a candidate may fail of election, although having a majority of the popular vote in his favor. This indeed is true, and it has actually happened. But, on the other hand, a popular majority may often be due to a sectional majority, and even to a majority of a comparatively small section, overpowering adverse, though inferior, majorities in the much larger portion of the Union.

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To illustrate: in the late election, the single State of Texas gave for the Democratic candidate a plurality of about 135,000 votes over his principal competitor. New York gave a plurality in the same direction of only about 1000. The case is conceivable in which thirty-seven States should give pluralities of 1000 each to a candidate of one and the same party, while Texas should again give 135,000 for the other. In a direct election, Texas, in such a case, would give the nation a chief magistrate by a popular majority of nearly 100,000. It will easily be seen that the plan of electing Presidents by direct popular vote would soon extinguish the last vestiges of State independence; and though to many this result might not be unacceptable, it ought to be regarded with apprehension by the party that, for nearly a century, in its profession of faith, has given to "the resolutions of 1798 and 1799" a place a little above the scriptures of the Old and New Testament.

But the conclusive objection to the plan of direct election is the fact that it leaves all those grave evils that have hitherto attended our quadrennial presidential contests wholly unremedied, if it is not in fact calculated to aggravate them. The disturbance of the public quiet, the conflicts at the polls, the practices of intimidation or corruption of voters, the bargainings, or "deals" between local political managers, the degradation of the press and consequent demoralization of public sentiment, the obstruction to legislation, and all the other evils that attend our elections now would continue unchecked. Only one conceivable advantage can attend the change, but it is one of some importance. A great State, with a majority of, let us say, 100, would no longer be able to overwhelm half a dozen smaller ones with a joint majority of more than 100,000.

F. A. P. BARNARD.

IN the convention that framed the Constitution of the United States nearly a century ago, there was a wide difference of opinion as to the manner of choosing the national Executive. Propositions were made that the election should be by the two houses of Congress; by Electors chosen by the people in separate districts throughout the States; by the executives of the States; by the legislatures of the States; by Electors appointed by

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the legislatures of the States; by Electors appointed as the legislatures may direct; by Electors chosen by lot from the Senators and Representatives in Congress; by the Governors of the States, with the advice of their councils; and by direct vote of the people in each State. All of these plans had their supporters, and several of them were adopted only to be reconsidered and defeated. That for election by the two houses of Congress was three times carried, once unanimously, and as often recalled and set aside. Finally, the mode of choice by Electors appointed in such manner as the legislature of each State may direct, the number of Electors to correspond with the representation of the State in Congress, prevailed. The main question was, whether the power should be with the people, or a remove from them. The opposition to the popular mode was strenuous and overwhelming, only one State, Pennsylvania, voting for it. Roger Sherman, of Connecticut, claimed that the people would never be sufficiently informed of the characters of men to vote intelligently for the candidates that might be presented. Charles Pinckney, of South Carolina, was afraid the people would be incited by designing and active demagogues. George Mason, of Virginia, declared that it would be as unnatural to refer the choice of a proper person for President to the people as to refer a trial of colors to a blind man. The extent of the country alone, he contended, would render it impossible for the people to have the requisite capacity to judge of the respective merits of candidates. Elbridge Gerry, of Massachusetts, said a popular election was radically vicious, as the ignorance of the people would put it in the power of some one set of men, dispersed throughout the Union and acting in concert, to deceive them and delude them into the election of an improper person. A cabal would certainly, in every instance, dictate the President, if the election was to be referred to the people. And so on to the end of kindred opposition from other members. The theory of the Electoral College, so called, as established, was, therefore: first, that the people could not be trusted to choose the Chief Executive; and secondly, that the Electoral College interposed between them and the election was to exercise independence, with superior knowledge and wisdom, in making the selection. At first the Electors were appointed by the State legislatures, and acted upon their own judgment. They were unanimous in electing and reëlecting George Washington

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President, while at the same time voting for no less than fifteen different persons for Vice-President. The provision then was that each Elector should vote for two persons; that the one receiving the greatest number of votes, if a majority of the whole number of Electors, should be President; and that, after the choice of President, the one having the greatest number of votes of the Electors, even though not a majority of the whole, should be Vice-President. At the third election, in 1796, the Electoral College was divided between John Adams and Thomas Jefferson for the first office. The result was a vote of seventy-one for Adams and sixty-eight for Jefferson, and they thus became respectively President and Vice-President. At the next election, in 1800, the first organized movement to forestall the action of the Electoral College was made. A caucus of the friends of Mr. Jefferson in Congress put him in nomination for President, and when the Electoral College balloted the votes were found to be a tie between him and Aaron Burr, each having 73. The House of Representatives, after a warm and protracted struggle, elected Mr. Jefferson President, and Mr. Burr Vice-President. It was this electoral tie that induced the adoption of the amendment, still in force, that requires the Electors to ballot separately for President and Vice-President. After 1800, nominations were made by Congressional and legislative caucuses, which grew in strength until their controlling power was recognized and they were crowned "King Caucus." Another crisis came in 1824, when Andrew Jackson and John Quincy Adams were opponents. Neither had a majority of the electoral votes, as some were given to William H. Crawford and Henry Clay, while John C. Calhoun, having the requisite majority, was elected Vice-President. The House made Mr. Adams President. This ended the reign of King Caucus. The popular sentiment dictated the choice of Andrew Jackson over John Quincy Adams for President in 1828, by an electoral vote of 178 to 83; and the self-assertion of the people had been such that the Legislatures gradually relinquished the power of appointment of the Electors. In 1824, Delaware, Georgia, Louisiana, New York, North Carolina, and Vermont were the only exceptions, and in 1828 South Carolina stood alone, as it continued to stand down to the reconstruction of its State government after the close of the rebellion. In 1830 the first political national convention of delegates representing the people was held; and the holding of national nominating

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conventions by the different political parties began in 1831–2, and has since continued, being now the firmly established usage. The people not only appoint the Electors directly by their votes, but they perform the very office which, in distrust of their intelligence and judgment, the Electoral College was created to fill, that of selecting the national executive. Beginning at the primary meeting and passing along through the intermediary conventions until the national party council is reached, they direct every movement made in the naming of candidates from among whom the President and Vice-President are chosen. The Electors vote as the expressed will of the people directs, and, under the unwritten law that has supplanted the letter of the Constitution as that instrument was drawn, are without volition. Such is the practice.

The ground upon which the Electoral system was based having long since crumbled away, the system itself should now follow. The conditions that existed in 1787 and caused the Constitutional Convention to reason and make provision as it did, have changed. The number of States has been trebled, the area of the country has been increased tenfold, and the population has been multiplied by fifteen. Yet, by the application of steam upon land and water, by the use of the electric telegraph, and by the revolutions of the power printing-press, all then unknown and undreamt of, distance of travel has been reduced, space in communication has been annihilated, and spread of intelligence has become universal; so that the minds of the sixty millions of population can be almost instantaneously informed and brought to consider any given proposition now, while a like result, with the four millions of population then, would have taken months, if, indeed, possible to be reached at all. The trouble to-day is not with the people, but with the Electoral College. Instead of the candidates for President and Vice-President not being known to the people, it is the Electoral College that is an enigma to them. It would be impossible to present any candidate without having a full history of his life and character spread by the public press before every citizen in every corner of the land within twenty-four hours after his nomination. It would be equally impossible, in the State of New York for illustration, to nominate candidates for Electors who would be known to all the citizens called upon to vote for them. Many people never have an

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understanding of the working of the Electoral College, and every four years, as the Presidential election comes round, the public journals are called upon to instruct the risen as well as the rising generation in its mysteries. Some, even among the statesmen of the land, forget their knowledge of it, and confound others by their misunderstanding of its operations.

The Electoral College is not only without utility or value, to the end for which it was created, but it is a dangerous piece of machinery. How much it needs watching in some if not in all of its thirty-eight different parts, the election of eight years ago attests. And now, according to public report, the representatives of the party that won the election of November last have taken the precaution to cause duplicate copies of the Electoral certificates for Cleveland and Hendricks to be sent to the Speaker of the House of Representatives, outside the law, as a check on possible irregularities. It is a sufficient reason for doing away with the Electoral College that it is utterly useless. Its only legitimate function is to do over again what the people themselves do in appointing it. But the power it possesses and wields in the exercise of that function is open and liable to perversion, and therefore it is a standing menace to the integrity of Presidential elections. True, up to the present time it has not, through error or bribery, reversed the will of the people. The pitcher is never broken until the last time it goes to the well. Is it wise to maintain an intermediary that is superfluous at best, until it does some serious damage to call for its destruction? Even as the agency it is, it has obvious imperfections. No positive qualifications are required for an Elector, who may be a citizen or an alien, a man or a woman, an Indian or a Chinaman. There is a prohibition that no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an Elector, and that is all. And the Elector is not only permitted but directed to vote by ballot. This is an anti-democratic provision, which may cause a blunder, and could be easily used to cover a crime. An agent of the people should never be permitted to act secretly in transacting their business, except in cases where the public safety may require. Especially should he never be allowed to cast a ballot in secret for them. What the people can do for themselves in making and administering their government they should not employ an agent to do; much less employ an agent

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to do over again what they have already done, as in the case of the Electoral College.

In dispensing with Presidential Electors, no disturbing change need be made. Preserving the autonomy of the States and their proportions of power as measured by representation in Congress, the people of each State would vote for President and Vice-President upon a ballot, precisely as they now vote for Governor and Lieutenant-Governor, and with the same freedom of choice for each separately, which is denied them under the Electoral College system. The candidate receiving the highest number of votes for either office, would have certified for him the proportion belonging to the State — as, thirty-six for New York. The end of election by direct vote of the people is plainly seen and easily understood. The means to it can be readily devised. A uniform day of election, as at present, but different from that upon which State and local officers are chosen; immediate count of the votes after the close of the polls; prompt subsequent canvass by boards of final jurisdiction in all the States alike, and simultaneously; transmission of the returns by State certificate, and determination and proclamation of the result by duly established authority, whether it be Congress or some other tribunal, at Washington; — these are points of detail that can be provided for without difficulty. If to the direct vote of the people should be added provision for a term of six years, with ineligibility of the incumbent for reëlection, the improvement of the article of the Constitution relating to the election of the executive would be as complete as it is possible to make it.

WILLIAM PURCELL.

THERE can be no more fitting time to discuss the infirmities, or weigh the value of existing methods for the election of a chief magistrate than that which follows the subsidence of the excitement of the recent presidential election. It has been the fashion of late to criticise and condemn the Electoral College. The cure has always been an attempt at substitution. It is said of it that: It has departed in practice from the theory of its creation; it is a cumbersome and useless piece of machinery; it had its origin in a distrust of popular government, and stands

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between the people and a free choice of their ruler; and it is full of danger. These criticisms are not altogether groundless; but their weight, as against the system, may well be questioned, and the system itself, as against any substitute yet proposed, may well challenge discussion.

It is true that the original idea of the Electoral College was a free choice of the President by Electors chosen, not on previous committals, but exercising after their appointment a deliberate unbiased judgment in casting a ballot for that man of all others in the republic most commending himself to such judgment of the Electors. The fathers expected that the result of the free deliberation of the College, or rather the resultant of the deliberations of the separate Colleges in the several States, would most surely bring into this high position the noblest and best equipped citizen. The practice, however, has come to be, that the Electors are now appointed because of their known preference for some particular individual for the office of President, whose character and fitness are discussed before the public months in advance, not to convince the man who is to be Elector, but to persuade the voter to cast his ballot for one already pledged. This change seems at first thought to be very much for the worse, degrading the College from a high and ideal function to a mere registering machine. But something may be said on the other side. Whatever may have been the dream of the fathers, political parties in this country were inevitable, and were sure to divide on the principles and policies of administration. This division was certain to manifest itself first and strongest in the choice of a chief magistrate. It is better in every way that the merits of this division should be debated before the people themselves in advance, rather than be pressed home upon the Elector between his election and his ballot for President. If he were at liberty to be swayed after his election, debates fierce and wild would attack him, and corruption and bribery would compass him about and beset his footsteps till his ballot had been cast. From all this he is protected by the unwritten law that determines his ballot before he is chosen.

It is difficult to feel much force in the charge that the Electoral College is a cumbersome and useless piece of machinery. If the system were abolished, it would abolish only the meeting of the Electors, now fixed by law on the first Monday of the December after their election. The canvass of the vote in the

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different States would still remain, attended with increased difficulty. The method of verification, its transmission to some official in Washington, the opening and counting the votes, and official declaration of the result by some one and in some presence, would be as necessary as ever. To the reflecting citizen there is no part of the machinery of our government whose workings are more simple and impressive than this meeting of the Electors. They are few, selected for their weight of character; they assemble simultaneously at the capitols of their respective States to record with deliberation and dignity, and fitting formality, the verdict rendered a month before amid conflicts and political passions that sometimes rock the republic. The contrast, in the presidential election through which the country has just passed, between the trouble and excitement that agitated the public mind during the first week in November, when the Electors were chosen, and that calm acquiescence out of which has sprung increased confidence in the future, pervading all parties a month later, when the Electors assembled to execute the mandate of the people, is a health-giving influence worth much more than it can ever cost. This did not all come of a foregone conclusion. Under all that the certainty to come had worked on human passions and expectations, when the hour of its coming approached, there was a revived faith in our institutions. The mists had passed away, and the structure appeared to all eyes stronger and grander than ever. Men did not go about talking in this strain, but earnest patriots of all parties felt it and were made better citizens by it.

The Electoral College had its origin, not in a distrust of popular government, as is sometimes charged, but in the distinction between a republic of States and a pure democracy; and any substitute for it not based on this distinction, is out of harmony with the other parts of this remarkable whole, and must fail, or compel a change in them also. It was modeled, though imperfectly, after the legislative power, which consists of the House, representing the people, and the Senate, representing the States. It is true that in the joint action of the Senatorial and other Electors in one body much of the power of the State is merged; yet upon the failure of all the colleges to elect by an absolute majority, the States alone make the choice.

A vote by the people directly for President, which keeps up the distinction now existing in the College, based on a republic

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of States, would save nothing but the ceremony now performed on the first Wednesday of December following. This is so trifling a gain at most that it is hardly worthy of grave discussion. On the other hand, a vote directly for President, upon a plan which treats the people as one whole, and determines the result by a majority of the entire aggregate of votes in the nation, would neutralize the vote of the smaller States, like Delaware, Rhode Island, and New Hampshire, by equalizing it with that, it may be, of a single county out of fifty in New York or Illinois, and thus extinguish the equality of the States altogether. This, while more democratic, would be a stride toward centralization at war with the whole theory of the government. It does not admit of discussion. The gravest of all charges against the system is, that the execution of its provisions is full of danger. Recent experience and a marvelous deliverance from disaster are too fresh in our memory to need comment. In the recent election, also, a little cloud no larger than a man's hand, and only for a little while above the horizon, filled the land with alarm lest perils once escaped as by a miracle, were coming upon us again. But this danger does not attach itself to the Electoral method more than to any other under our complicated frame-work of national and State governments. The danger lies in the difficulty in verifying the several steps of the process. These steps are indispensable, whatever the method of procedure. It grows out of the fact that the election of a President is in part the work of the State government, and in part that of the nation, each independent of the other in what it does. The State alone appoints the Electors in any manner its legislature may determine, and they meet where the State determines. When they have cast and certified their ballots, State authority over them ceases, and the national begins. What they have done is transmitted under seal to the seat of government of the United States, and delivered to the President of the Senate, who, on a given day, "in the presence of the Senate and the House of Representatives, opens all the certificates."

Who shall determine what persons have been appointed Electors in any State? And who shall pass upon their action after they are appointed? It is very clear that if the State alone has authority to appoint the Electors, the State must determine whom it has appointed. And if what they have done is

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to be delivered under seal to the President of the Senate, and is to be by him opened in the presence of the two houses, and the "votes then counted," it is equally clear that from the time the certificate leaves the hands of the Electors in the State to the final declaration of the result, the whole proceeding is national, and controlled by United States officials. But this does not by any means answer all the questions to which these meager and uncertain provisions of the Constitution have given rise. If the President of the Senate is to open all certificates, is he to determine what are certificates? to decide between genuine and false ones? If not the President of the Senate, who is to discharge this important duty? Is it the Senate and the House in whose presence they are to be opened? And if they are to do it, are they to do it as a Senate and a House, by separate and concurrent action, or as one body? Again, if the House is to proceed "immediately," as the Constitution provides, to elect a President when it appears that no choice has been made by an actual majority of the Electors, must not the House, *ex necessitate rei*, then and there itself count the votes to determine its own constitutional duty?

The Constitution nowhere answers these questions, and there is no tribunal authorized to answer them. The States have no tribunal in which a contested election of Electors can be decided. And the United States Constitution has created none to adjudicate those in which the methods of ascertaining and declaring the result are involved. Congress cannot create such a court for the State, nor require it to be done by the State Judiciary, nor even extricate its own government from the doubts these questions raise. These questions are not suggestions of remote possibilities about which the present need not give itself much concern. On the contrary, they but formulate the inquiry that filled the public mind with intense alarm during the uncertainty that hung about the election of 1876, and has created great uneasiness at both elections since. The Electoral Commission was a patriotic device, concurred in at the time by both political parties, to avoid questions that neither could answer. If doubts of a like character shall ever again make the result uncertain, their solution cannot be looked for through any such method, and these questions unanswered may yet wreck the government. The peril that underlies them has been likened by an eminent statesman, now dead, to a "tor-

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pedo planted in the straits, with which the ship of state may at some time come into fatal collision." It is the height of folly to shut our eyes to this danger. And it is useless to seek in argument a satisfactory answer to these questions. The public mind will always divide upon them. The only safe solution of the problem is their removal by a Constitutional amendment that shall make plain and simple every step in the process, both State and national, and shall also require or create a tribunal in each State competent to settle finally any possible controversy over the appointment of Electors or their action till the record of what they do reaches some national official. And it should create a like national tribunal to settle every question that can thereafter arise.

The provision that requires an election by an actual majority rather than a plurality in the Electoral College, necessitated the designation of some other body to elect in case of failure on that account. The Constitution clothes the House of Representatives, voting by States, with that function. The two occasions in which that power has been exercised have demonstrated the danger with which it is fraught. Happily, its recurrence is not likely to be frequent, else it is a serious question whether the government could long survive the strain thus brought upon it. Doubtless, a President elected by an absolute majority of the College would enter upon his office with greater moral force behind him than one elected by a plurality only, but the latter will stand stronger and breathe a much purer atmosphere all his official days, than he would if he reached the same position through the devious ways and mephitic breath of a Congressional election. It were much better, therefore, that the amendment embrace, also, a provision substituting a plurality for a majority, and leaving the provision in relation to the House of Representatives applicable only to the remote possibility of a tie in the Electoral College. These amendments accomplished, safety will be secured as far as that can be done by Constitutional safeguards. Whether with these changes the Electoral system should also give place to some new method of more direct election by the people, is of little moment if only this weak point in our system be sufficiently strengthened. Let us not be lulled into further indifference by a too great reliance upon that wisdom and patriotism which has once carried the republic safely through this peril.

H. L. DAWES.

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By no difficulty developed in the attempt to organize the Federal Government were the authors of the Constitution more perplexed than by the problem how to choose the President and Vice-President of the United States. Various schemes were propounded for the purpose, only to be successively entertained and rejected. For example: election by the people, election by the national legislature, election by the State legislatures, appointment by the State executives. Eventually, on the eve of the adjournment of the convention, the committee of detail reported a plan for the creation of an intermediate college of Electors, by whom the chief executive officers of the nation should be chosen; and the device was incorporated in the fundamental law of the Union as formulated in Article II. of the original Constitution. In the experiment, however, the method of election here prescribed speedily miscarried, and the twelfth amendment was adopted, to avert another such occurrence as convulsed the country in 1800, when Jefferson and Burr had an equal number of votes for President, and the House of Representatives finally chose Jefferson on the thirty-sixth ballot. That the existing contrivance is vicious in principle and mischievous in operation, and that the choice of President and Vice-President by the immediate will of the nation, voting as a political unit, is the truer and the safer expedient, are the theses that I purpose briefly to maintain.

In a scientific view, any mechanism, material or moral, is decisively condemned by the fact that it misses the end of its creation; and that the present plan of electing the President and Vice-President fails to fulfill an essential function of its institution everybody sees and nobody denies. One, and a principal function, that the College of Electors was designed to perform, was to preclude the people from any direct agency in the election, for the avowed reason that the people are incapable of exercising so delicate and difficult a power as the choice of the chief magistrates of the nation, and because such an office could be better discharged by a select body of commensurate virtue and intelligence. "It would be as natural," said George Mason, "to refer the choice of a proper character to the people, as it would be to refer a trial of colors to a blind man." And, in No. 67 of "The Federalist," Hamilton indulged the pleasing anticipation that "the process of election affords a moral certainty that the office of President will never fall to the lot of

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any man who is not in an eminent degree endowed with the requisite qualifications"; and asseverated that "it will not be too strong to say, that there will be a constant probability of seeing the station filled by characters preëminent for ability and virtue." He asserted, furthermore, that of all parts of the Constitution, the scheme of choosing the President and Vice-President was precisely that which most commanded applause. It may not abate anything from our admiration of the sagacity of the statesmen who figured in the convention, but it is an indisputable fact that the expedient upon which they so plumed themselves proved, upon trial, a miserable miscarriage. The virtue and intelligence of the Electoral College have no operation in the choice of President; his election is effected by the undisputed, though not unqualified, volition of the people. The constant probability that the station would be filled by the most eminent personages is resolved into the fact that it is attainable only by colorless character and inoffensive mediocrity. Because, then, the existing contrivance for the election of President fails, and fails utterly in one essential particular, to compass the end of its institution, and operates instead to produce the very result it was projected to prevent, it should be discarded as a solecism and an excrescence in our political system. They present no valid argument for its continued existence who urge that, at the most, it is merely a useless and harmless expedient, and that it no way interrupts the operations of the mechanism with which it is incorporated. Even were it an utter abortion, without function or effect, still the simple fact that it is nugatory, that it is a sham, that it accomplishes the very result it pretends to avert, mars the perfection of the system of which it is a part, and discredits the Constitution in the popular regard. But the present plan of electing the President is not wholly abortive; it accomplishes one of its appointed purposes, and, in fulfilling this specific function, it is productive of positive evil.

The constitution of the Electoral College is committed to the State legislatures, with a single important limitation of their power, which is, that the number of Electors shall be "equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress." Representation in Congress being proportioned to population, a number of Electors equal to the number of Representatives would afford a just

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measure of the relative influence of the States in the choice of President; but this natural and equitable ratio is neutralized by the allotment to each State of two Electors who stand for nothing but the sterile abstraction of State sovereignty. Avowedly this provision was designed to destroy the legitimate and just ratio between political power and the number of voters, was intended to arm the smaller States with an influence in the election of President disproportionate to their relative population; and such is its effect. In the recent election, the States of New England cast thirty-eight votes, while but thirty-six were given by New York; and yet the population of those States is one-third less than the population of New York. Furthermore, it has happened repeatedly, that a President has been chosen against the vote of the popular majority; another result of this arbitrary addition to the electoral weight of the States, coöperating with the principle of the system presently discussed. That this provision is, in theory, repugnant to the genius of popular government, is self-evident. The rule of the majority is the fundamental principle of popular government, because it is the only principle that recognizes the equality of men; a postulate upon which all popular government proceeds. And this principle is vindicated by philosophical speculation. Rutherforth says:

"It is plainly most consistent with reason, that the sentiments of the majority should prevail and conclude the whole; because it is not so likely that a greater number of men should be mistaken when they concur in their judgment as that a smaller number should be mistaken. And this is likewise most consistent with equity; because, in general, the greater number have proportionately greater interest that the purposes of society should succeed well, and have more at stake if those purposes should miscarry or be disappointed."—"Institutes of Natural Law," II., 1, Sec. 1.

However this may be, certainly the theory of American government reposes upon the principle of the rule of the majority; and in so far as the provision under review challenges and crosses this principle, it is repugnant to the genius of popular government. The important control in the Federal administration that is imparted by the provision to the smaller States, is evident upon a view of the powers of the executive—its qualified veto upon legislation, its prerogative of appointment to office, and its treaty-making power. The effect of the arrangement in giving to the smaller States a factitious weight in the election of President, will doubtless commend it to the judgment of the sticklers

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for State sovereignty; but independently of this provision for an equal Senatorial representation in the Electoral College, the smaller States are already armed with an adequate power of self-protection and a disproportionate influence upon the operations of government. By their equality of representation in the Senate, of which they cannot be deprived but by their own consent, they have an equal weight in legislation with the larger States, to the full effect of which consideration it is requisite to remember that the Senate may exert an absolute negative upon legislation. Then, too, by virtue of this equal Senatorial representation, the smaller States participate equally with the largest in all the executive and judicial powers of the Senate, in the appointments to office, in concluding treaties, and in the determination of impeachments. In respect of all these important matters, Nevada stands on a level with the imperial commonwealth of New York. It is, then, a frivolous apprehension to object that the interests of the smaller States would be endangered by depriving them of their artificial and unequal weight in the election of President.

Another principle of the electoral system, which, in coöperation with the arbitrary allowance of two votes to each State, without reference to population, has been indicated as contributing to the defeat of the popular will in the election of President, is this: in the election the States vote as political units, so that the minority vote in each State is annihilated, and is ineffectual to influence the general result. Thus it might happen that the Southern States, voting with New England and Indiana for the same candidate, and giving him a bare plurality of the popular suffrage, would elect him, against the competition of another candidate supported by all the other States with an overwhelming majority of the popular vote; and so the President of the United States would represent a comparatively small minority of the whole people. But this result would not occur if the event depended upon the vote of the entire nation; for then the minority vote of each State would weigh in the balance of the total suffrage. The present mode of electing a President involves the method of voting by composite units, a principle of which the tendency is to defeat the operation of the numerical principle. The device was not original with the authors of the Constitution, but had been successfully employed in the Comitia Tributa, and

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under the Constitution of Servius, to neutralize the vote of the mass of Roman citizens, and to insure the ascendency of favored classes. It had been found efficient, too, in the councils of Constance and Basle, to defeat a decision by the numerical majority. The same principle was incorporated in the Confederation of 1781, and legitimately enough, because the Confederated States were in no sense a nation, but a league of sovereign commonwealths, and it was logical that in the general council the vote of each State should operate with the weight of an independent unit. But now we are a nation, and the voice of the entire nation should be audible and potent in the election of the executive chief of the nation.

In each State the Electors may be chosen in any way the State legislature may be pleased to prescribe. Wherefore, whatever interest or oligarchy might chance for the time to be prevalent in the legislature of a State, would have the power, as it certainly would have the will, to make such provision for the choice of Presidential Electors as would promote any occasional interest of class or object of party, however incompatible with the general welfare of the nation. The history of New York furnishes an instance of the possible subserviency of State legislatures to party intrigue in the choice of electors, in the attempt, made on the suggestion of Hamilton, to alter abruptly the mode of their appointment to serve the interests of a defeated faction — an attempt that, but for the incorruptible integrity of John Jay, would have been successful. A plan of choosing the chief magistrate of the republic, which depends upon the State legislatures to determine the constituency by whom ultimately he shall be elected, which may be worked in subserviency to partial and transient interests, to the national detriment, and which leaves with the legislatures of the States power even to deprive a State of any participation in the election of President,— such a scheme, independently of its experienced effects, cannot survive the *a priori* logic of a sound political philosophy.

If, then, the existing method be indefensible in theory and pernicious in practice, it should be replaced by a plan, if such can be devised, more in harmony with the genius of our institutions, and more conducive to the public welfare. And it results from the principles on which this criticism proceeds, that the true and the expedient mode of choosing the chief

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magistrate of the nation is by the popular vote of the nation. As an officer of a distinct and independent government, his appointment should not be contingent upon the will or action of the States. As a representative of the might and majesty of the American people, he should be the immediate elect of the American people. Exposed, as the executive must be, to encroachment on its prerogatives by legislative usurpation, he should be sustained by whatever moral power may be imparted by the declared confidence and support of the people. As the representative chief of the nation in its unity, he should embody the national will in its unity. Since the rule of the majority is an equivalent term for popular government, and since, in the American system of political philosophy, the voice of the majority is the voice of all, his election should be suspended on the event of the majority vote, unaffected by any arrangement inconsistent with the effectual expression of that majority. And so thought the sages of the Convention; the present contrivance for the choice of President being the desperate makeshift of discordant interests and counsels; while Morris, Madison, Wilson, Dickinson, and Carroll favored the election of President by the people.

ROGER A. PRYOR.

A SUGGESTION is making itself felt in the public mind as to the propriety of repealing the Electoral system. The Constitution of the United States has been in existence nearly one hundred years, and within that period almost every feature of it has felt the friction of actual experience, sufficient to test its strength and its fitness. The Electoral system of choosing a chief magistrate has been subjected to this test more frequently perhaps than any other feature of the Constitution about which any question has been made. Twenty-two Presidents have been chosen under it, several of them twice. Although it was conceived and inaugurated so long ago, in the golden age of American patriotism and simplicity, when there were but thirteen States in the Union, possessed of only 820,000 square miles of territory, and occupied by not more than 3,000,000 people, it has been operative through our amazing increase in wealth, our vast growth in population, our mighty enlargement of ter-

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ritory, and all the revolutions of our society. So it may be said that it has been thoroughly tested by all phases of our politics. Yet in no case has it been seriously impeached, in no instance has it ever been accused as the cause of any of our troubles or dangers.

The charge that it is a useless and unnecessary piece of political machinery, at first blush appears to be true. It would, indeed, seem to be a superfluous thing to vote for a man in order to have him in turn vote for the President of your choice, when you could seemingly as well vote for him directly yourself. But our ancestors were not guilty of this folly. The Electoral College is not now, by any means, the thing that they designed it to be. The original purpose was to make it an independent body, with absolute power to select a President and Vice-President of their own choice, by their own wisdom, without reference to the wishes of parties or any one else. The debates in convention and cotemporary criticism, as well as the first few years of the government's existence, show this.

The anxiety of the Constitution-makers seems to have been so to provide for these elections as to avoid the tumultuous passions of the mob on the one hand, and, on the other, the corrupting influences to which, it was supposed, a smaller body would be subjected. The chief propositions as to the manner of electing the President were, first, by the people directly, then by the House of Representatives, then by the whole legislative body, and lastly, by Electors chosen by the States for that purpose. Many and serious objections were made to all these methods; but finally, after much hesitation and many changes of opinion, the present plan was adopted. Many precautions were taken to make their choice free and unbiased. The Electors were to be chosen by the States in such manner as each State should direct; they were forbidden to have any official connection whatever with the United States; they were to be chosen for the sole and special purpose of electing a President and Vice-President, and they were themselves to expire officially the moment that duty was performed. They were to assemble, for that purpose, in the capitols of their respective States, on the same day, and cast their votes immediately, without consultation, or the opportunity therefor, with the Electors of any other State. In this view, it cannot be truthfully said that our fathers provided a useless or absurd

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institution. They gave us, on the contrary, a very wise and well-guarded arrangement for the selection of chief magistrate. The departure came in a manner entirely unlooked for by them. It is a striking commentary upon their undoubted wisdom, that they should have failed altogether to foresee the most palpable and inevitable of all the results of their contrivance, the one that now furnishes the pretext for its repeal, and that was the almost immediate drifting away from their original purpose of selecting independent, highly empowered Electors, and the modern conversion of them into mere registers of the popular will. So far as I can perceive from the debates, they made no prediction whatever of the rapid growth and power of parties in our politics, and of the force of that fierce democracy which was to burst through all forms and restraints in the assertion of its will. Now, though every line and word of the Constitution in regard to this matter stands just as the fathers left it, the candidates for Electors in all the States have the names of the proposed President and Vice-President for whom they are to vote inscribed above their own on the popular ballots; and they would no more think of voting for any other candidates than they would think of committing suicide.

It is this reduction of the Electoral College to the condition of being the mere mouth-piece of the majority that makes the system appear useless. But is it worth while to abolish it for no other and better reason? Is not this call for a change simply the utterance of the practical and direct spirit of the times? Should we yield to that spirit, without some cause over and above the mere business instinct? Are all forms hurtful and useless? Is it not possible that a day may come, and come soon, when the safety of the republic may require the assertion of the original, independent powers of the Electoral College? And should that day never come, is that other day likely to arrive when the Electoral College, as at present used, can possibly do us any harm? In my opinion, the forms instituted by the framers of the Constitution are something more than mere forms. They are important aids in the organization and continuity of the functions of government. Like the many ceremonials and indirections of the common law, which were all founded on good and sufficient reasons, those of the Constitution were based on some supposed necessity of free government. Generally, all checks upon hasty, or corrupt, or in anywise im-

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proper legislation or political action, are of essential service to good government. They are eminently conservative; with us they are adjuncts to stability, if not stability itself. I believe it highly probable that our future may produce occasion for the interposition of the independent powers of dispassionate Electors to prevent anarchy or despotism. From the closing of a fierce presidential contest, to the time of the meeting of the chosen Electors, there always comes a great calm, a blessed cooling-time. At such a moment reason and patriotism would have opportunity to rally and do their saving work, should the republic be in danger. Here, in many cases easily supposed, these temporary repositories of popular power might save our country from disruption, and bloodshed, and anarchy. The Electoral College is an anchor that may yet hold the ship when all other cables have parted. That possibility surely makes it worth the space it occupies on the deck. So long as it is used as it has been for the past sixty years, as the mere instrument for announcing the will of the majority, it cannot possibly be deemed any restriction upon popular suffrage, or have the slightest effect in preventing the full force of a single ballot. For if it should be abolished, as proposed, the effect and weight of each individual vote would neither be increased nor diminished. There is no proposition, that I remember, to change the influence of the States by consolidating the total votes of the Union, abolishing all State lines, and making an election depend upon a majority of this aggregated vote. Such a proposition would be absolutely inadmissible, and I presume is not seriously entertained by the most extreme consolidationist.

We should be very careful how we change any of these original provisions, even those that appear to be mere forms. The ceremonials intended either to secure or celebrate the liberties, valor, or wisdom of a people, are the last things they will surrender. The consuls, the great chief magistrates of Rome, represented the majesty of the people of the republic established by the elder Brutus, after the expulsion of the kings. They continued to be regularly elected and inaugurated long after their functions had been usurped by the emperors, and the office was but a shadow. "But the tradition of ancient dignity," says Gibbon, "was long revered by the Romans and barbarians, ... and at the end of a thousand years two consuls were created by the sovereigns of Rome and Constantinople, for the

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sole purpose of giving a date to the year and a festival to the people." So conservative at heart are the masses.

The Electoral College was given us by the wisest and purest statesmen connected with our country's history; to them, more than to all others, we have been taught to attribute the chief glory and excellence of our institutions; and, unless it can be shown that it is hurtful to the people's liberties, it ought to be many a year before it is abolished to appease a senseless clamor. The real and ever-present danger to our country's peace lies in the methods of ascertaining and pronouncing what Electors are actually chosen by the people, and not in the Electors themselves. This, it is needless to say, is the business of the States, to the honesty and accuracy of which they should look all the more vigilantly because, though their Electors are in the strictest sense State officers, yet they, more than all others, nearly concern the whole people of the Union.

Z. B. VANCE.

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HOLMES'S LIFE OF EMERSON.

A LIFE of Ralph Waldo Emerson by Oliver Wendell Holmes is an event in the literary world too remarkable to be passed over by the NORTH AMERICAN REVIEW without immediate notice. The biographer unites in himself all the accomplishments that fit him for the work of love which he has undertaken. He was the neighbor and the frequent companion of Emerson, having with him a friendship without reserve. Holmes himself is one of the remarkable men of his generation, and, high as his place is in our literature, he holds a still higher one in personal worth and efficiency in active life. The public willingly accords to him any praise which it perceives that he deserves, though it does not at once hold in its view all his merits. Holmes, in the first place, is a man of science; then, he is great in his profession, in which he has gained distinction as a professor in the university and as an author; and again, he is one of our most popular poets, discoursing in his verse on everything, from that which can raise the beginning of a gentle smile through all the gradations of the cheerful to the inimitable expression of the most complete mirth, and yet knowing how to take up the sternest lesson of morality, and make the castaway shell on the sea-shore teach the individual and the nation to press forward in the career of improvement, or forfeit the purpose and beauty of life. Nor must it be left out of view that Holmes, under the guidance of his father, whose name is held in high respect by all the students of his country's history, was not only well grounded in the annals of America, but, aided by heredity through a splendid line, was thoroughly well trained in the very best lessons of Connecticut orthodoxy. Besides this, he has after a fashion of his own reproduced the system of pleasing instruction by dialogue. But in each of these he appeals in some degree to a special public, and no one of these separate

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parts of the public knows him entirely. He is like a man who has three or four estates of land lying out of sight of each other, and none but his friends take cognizance of the vastness of his possessions. Or his merits are as stars in different constellations, which no telescope can bring into one field of vision. Every one of these acquisitions — his science, his public spirit, his poetry, and the rest — goes with him to his work on the life, writings, character, and influence of Emerson. And here comes again into view a quality of Holmes,—instead of seizing the brilliant opportunity for the display of himself, he brings all his powers to be used exclusively for the task he has in hand, and steadily directs the attention of his reader, not to himself, but to the man of whom he is writing. And more than this; he has not allowed his mind to be biased by his affection and personal esteem; he writes, disguising nothing, palliating nothing, concealing nothing; but in the expression of his judgment he is always gentle, urbane, and tender-hearted, giving praise where it is due, but making no overstatement. It may be a surprise to those who do not know him, to find him so perfect in his metaphysics; but he follows Emerson through all his trains of thought, and states them concisely and clearly, with such completeness and exactness that he could not have done better if he had passed all his life in the chair of a professor of philosophy.

Our illustrious biographer, who knows very well that by the right of descent the genius of a Brahmin whom Alexander the Great, after he had passed the Himalayas, might have conversed with, may re-appear in the brain of a pupil in a New England town school, begins by giving us a long array of ancestors among whom one must search for those through whom Emerson was born to be what he became. Among them he rightly distinguishes Emerson's grandfather, who more than a hundred years ago was the minister of Concord. When Emerson, more than forty years ago, accompanied me on a visit to the town school-master of the olden time, who was still alive, in excellent health, of vigorous mind, and with a ready recollection of the deeds he had witnessed in his early days, we encouraged him to tell his story of what happened in Concord on the 19th of April, 1775, but took care not to ask him a question or in any way to interrupt or disturb him in his narrative. The messengers that went in advance of the British to sound

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the alarm through all the villages on their way, reached Concord some hours before the enemy. The bell of the town meeting-house was at once set a-ringing, and the school-master, as he told of the instant gathering of the minute-men, related that our Emerson's grandfather, the minister of the town, came at the alarm from his house to join the men of his congregation, bringing with him his gun and ammunition. At the words announcing that he came armed, the bluest of blue eyes in my companion shone with a mild radiance of surprise and delight and pride, for he had not before heard this special circumstance that the minister came bearing arms. The Emerson of that day further bequeathed to his descendant a deep insight into the meaning of facts, for in April, 1775, he entered in his almanac, which was his diary: "This month is remarkable for the greatest events of the present age."

Emerson came into the world with an enduring constitution, so that he lived to be within one year of fourscore. He had excellent organs of digestion, and in mature life could "eat pie" like a school-boy; he slept well at night, and during sleep kept a window open, even in midwinter; but he complains more than twice of his want of power of voice and "a commanding presence"; so that the reader of his life is led to indulge in a surmise what he would have become if he had had "a commanding presence" like Webster; or if to the question, "Whose voice is music now?" he could have claimed a right to place himself by the side of Henry Clay. Whenever he exercised his mind on public affairs, he did so with judgment and courage.

Emerson went through school and our Cambridge College without exciting remark; for his livelihood after leaving college he taught a school in Boston, enlivening the toil by writing exquisite poems; thought a moment of becoming a lawyer, for which profession he was wholly unfit; studied divinity; visited the South; and at twenty-five was settled in Boston as colleague of Henry Ware, who in life and thought was one of the purest men that ever lived, and totally free from extravagance or waywardness. Emerson was soon most happily married, and life seemed to open upon him in the full promise of occupation, peace, and happiness. But ere long his days were overclouded; he lost the wife of his youth; and, while he had not the least inclination to skepticism, the uncontrollable range of his mind soon brought him at variance with the sober-

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minded men of the society to which he had become the minister. He disliked the form in which the communion was administered in the Congregational churches of New England, and he grieved at the distinction that was made between members of the church and other members of the congregation. The people of his society thought otherwise, and this was his answer:

"It is my desire, in the office of a Christian minister, to do nothing which I cannot do with my whole heart. Having said this, I have said all. I have no hostility to this institution; I am only stating my want of sympathy with it. Neither should I ever have obtruded this opinion upon other people, had I not been called by my office to administer it. That is the end of my opposition, that I am not interested in it. I am content that it stand to the end of the world, if it please men and please Heaven, and I shall rejoice in all the good it produces." (Emerson's works, xi., p. 28.)

And so he parted with his congregation, and was left without wife, or child, or fixed occupation.

Hardly was Emerson liberated from service, when he visited Sicily, Italy, France, and England, and saw Coleridge, Wordsworth, Landor, and De Quincey. The biographer of Carlyle gives us an account of the light and joy that Emerson brought to the recluse and his wife in their remote solitude in Scotland. They were blessed days for Carlyle, for, through Emerson, Carlyle, before he had obtained distinction in England, established a reputation in America which re-acted on England; and Emerson, by his zeal and his labor and his influence, secured him for a time in America the copyright which our country still fails to concede to the foreigner. Nothing better could be asked for than the characterization and contrast of the two by Holmes. (Pp. 82, 83.)

The young American philosopher preached in Great Britain, charming by the consummate beauty of his language and the dignity and simplicity of his manner. He made no war on any form of Christianity; he could go into a rhapsody on the sublime thought and poetic beauty of the book of Psalms, and praised the Te Deum of the established church as the grand "hymn which had come down through the ages, voicing the praises of generation after generation." Returning home, he soon became a resident of Concord, of which he that will know the loveliness must read the delightful description by Holmes. (P. 70.)

He liked and extolled in Christianity the institution of preaching; and now, bound in the spirit to continue the prac-

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tice of addressing his fellow-men, he sought his audience through the lecture-room or the press. The character of his mind, as he found himself in solitude in his native town, was to see the whole universe in its unity, all as one effluence of the same great and infinite and universal spirit. "The feeling that truth and beauty and virtue are one, and that nature is the symbol that typifies it to the soul, is the inspiring sentiment." (Pp. 74, 75.) So he selected Michael Angelo for the first subject of an illustrative discourse, because to him the sublime workman had no country of his own, and was a friend to every one of the human race who acknowledges the beauty that beams in universal nature and seeks to approach its source in perfect goodness.

Emerson, in the choice of the next hero over whom he was to shed the luster of his praise, was equally guided by his own nature. In spite of all his gracefulness and reserve and love of the unbroken tranquillity of serene thought, he was by the right of heredity a belligerent for the cause of freedom, of which John Milton, among all the great English poets, was the foremost champion. From the inmost core of his character Milton was the herald of rightful liberty and its ever-ready warrior where it fell into danger. He wrote in sublime and impassioned prose for liberty of mind, of man, and of the state. He has furnished to the English-speaking world the best epic, the best ode, the best elegies, in the mood of joyousness and in the mood of meditation; sonnets full of high thought, expressed in the strongest and noblest words, and the most delightful mask for representation in the social circle. In advanced life, when all his hopes for the political reform of England had been wrecked, he writes the best tragedy that has ever been written in modern times according to the rules of the Greek drama, and in it paints in perfection the comeliness and the reviving power of men who, "armed with celestial vigor and plain, heroic magnitude of mind," make a glorious revolution in behalf of the liberty of mankind; and then, mindful of the sorrows that had fallen on himself and his associates, is driven for consolation to remember that

> "Patience is more oft the exercise
> Of saints, the trial of their fortitude."
> ("Samson Agonistes," lines 1268–1291.)

Such a hero had a right to find a resting-place on Emerson's breast; and this is what he writes of him: "It is the preroga-

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tive of this great man to stand at this hour foremost of all men in the power to inspire. Virtue goes out of him into others. Better than any other he has discharged the office of every great man, namely, to raise the idea of man in the minds of his contemporaries and of posterity, exhibiting such a composition of grace, of strength, and of virtue as poet had not described nor hero lived." No "philosopher in England, France, or Germany communicates the same vibration of hope, of self-reverence, of piety, of delight in beauty, which the name of Milton awakes." (Pp. 75, 76.)

The year 1835 was an auspicious one for Emerson; he formed a second happy marriage. In due time a family sprung up about him, giving him companionship more than care. In the same year the people of Concord called on him to pronounce a discourse on the history of his native town for the period of two hundred years, and he who in his philosophy treats facts as the glorified representations of the infinite, and cannot always draw with sharpness the outline of his thought, went to work with zeal and unwearied research to write the history of a New England village. His toil had its reward; he produced a discourse marked by accuracy in detail, the justest judgment, and a style of perfect simplicity and clearness; while his philosophy, coming without observation, underlies every line. Had it fallen to his lot to become a historian, he would have had no superior in fair-mindedness, persistent study, vividness of narrative, and the most sacred fidelity to truth. Again, in the next year, at the celebration of the 19th of April, he wrote verses that will remain in memory as long as the deeds that drew them forth.

In the following years Emerson found pleasure in meeting the young men of the country at the period of their education in the universities, and from time to time delivered addresses that were greatly admired when they were pronounced, and are preserved in his works. In an oration delivered before the members of the Phi Beta Kappa Society of our Cambridge, on the day after commencement in 1837, he spoke to a crowded audience in this wise:

"The problem of restoring to the world original and eternal beauty is solved by the redemption of the soul. Thought is devout, and devotion is thought. Deep calls unto deep; but in actual life the marriage is not celebrated. There are patient naturalists, but they freeze their subject under the wintry light of the understanding. Is not prayer also a study of truth —

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a sally of the soul into the unfound infinite? No man ever prayed heartily without learning something. The invariable mark of wisdom is to see the miraculous in the common. When the fact is seen under the light of an idea, the gaudy fable fades and shrivels. We behold the real higher law. To the wise, therefore, a fact is true poetry, and the most beautiful of fables. These wonders are brought to our own door. You also are a man. Every spirit builds itself a house, and beyond its house a world, and beyond its world a heaven. Know, then, that the world exists for you. For you is the phenomenon perfect. All that Adam had, all that Cæsar could, you have and can do. Adam called his house heaven and earth; Cæsar called his house Rome; you perhaps call yours a cobbler's trade, a hundred acres of ploughed land, or a scholar's garret. Yet, line for line, and point for point, your dominion is as great as theirs, though without fine names. Build, therefore, your own world. As fast as you conform your life to the pure idea in your mind, that will unfold its great proportions." (Emerson's works, i., 77, 78, 79.)

In midsummer of the following year he uttered more startling words. The mind of the country was very widely agitated by the endeavor to prepare the way for the universal acceptance of the multitudinous and ever-increasing revelations of science, by eliminating from the public mind the host of traditional errors that clung to it like barnacles to good ships that return from a long cruise. Invited by the Senior Class in Divinity College to deliver an address before them on a Sunday evening in July, 1838, he spoke of the "defects of historical Christianity," while at the same time he accepted the principles of Christianity as absolute truth — truth from the beginning, and truth that was sure to remain forever. His biographer, with a thorough knowledge of the nature of the questions that were brought into issue, has analyzed the address and stated its meaning with accuracy and precision. When Emerson was met by manifold objections, both to the form of statement that he had chosen for utterance and its inappropriateness to the place in which it had been delivered, to the question why he and his ideas were there, he could only answer for himself and his ideas in the language of his own Rhodora:

> "I never thought to ask, I never knew;
> But, in my simple ignorance, suppose,
> The self-same power that brought you there brought me."

And when he found some of those whom he greatly esteemed, as well as those to whom he was indifferent, were bent on

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making him out to be a heretic, he refused to offer "to make good his thesis against all comers," saying: "I delight in telling what I think, I shall go on just as before, seeing whatever I can, and telling what I see"; and he persistently adhered to the rule which he had established as the rule of his life:

> "Lowly faithful, banish fear,
> Right onward drive, unharmed."
> (Emerson's works, ix., 217.)

Bitter controversy could not be avoided. Emerson in the earliest part of his life had declared of Christianity that "Miracles are not its evidence to us, but the doctrines themselves," yet he took very little part in the strife which broke out and which ended for him in a signal triumph. One of the very ablest writers in New England, the head of a school in theology, himself in private life one of the most estimable of men, sounded a loud clarion and took the field. He was perhaps the unfittest man to take up arms against Emerson, for he admitted none of the special tenets of orthodoxy, not even the theory of the will as defined by Jonathan Edwards with the clearness of light, and now accepted by Huxley with all or most of his brothers in science, as well as by Calvinists of the new school and the old, and he had taken care through the press to let it be known by all his circle that he had reasons for not believing in the Trinity. He planted himself on the assertion that, "Miracles recorded in the New Testament are the only proof of the divine origin of Christianity." (Frothingham's "Life of George Ripley," p. 100.)

In the good old times of orthodoxy, more than a hundred years ago, the church-member was not asked for a belief in Christianity from its historical evidence, but whether he had an inward experience of its truth. The opinions of the deists of the eighteenth century found no home in New England. Edwards used to say that the more the truth of Christianity was discussed purely on historical grounds, the greater was the spread of infidelity; and to show the folly of resting the truth of religion on narratives of the performance of miracles, he puts forward this supposition: A Christian missionary goes out to India to convert its heathen, and when he is asked for his proof of the truth of his religion, answers that its founder performed miracles. "Miracles!" the East Indian would instantly

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answer; "my religion had for its proof a hundred miracles to your one."

Ripley had an easy task of it to refute the argument of his opponent; and the strife awakened Theodore Parker to go abroad like a raging Hercules armed with a club. Ripley more quietly persisted in making the American mind familiar with that of the philosophers in the countries of Leibnitz and of Bossuet, and superintended the publication of translations by himself and his friends of works of Cousin and Jouffroy, Benjamin Constant, and others. The series was well received in Boston and through the country. It naturally touched a chord in Paris. Cousin was moved to write over to a friend then residing in Boston, for a copy of the works of Jonathan Edwards. Opinion began to rise, and after many years ripened in Paris, that under the auspices of Emerson there had been a revival of philosophy in and around Boston. It reached the Institute of France. A vacancy occurring in the Academy, of which the admirable Mignet was the perpetual secretary, its members looked the world through for the proper person to fill it, and on account of this influence of Emerson on thought and of the exquisite beauty of his style and the simplicity and integrity with which he had treated philosophical subjects, he out of all candidates in the world was selected as the fittest to receive the appointment to the vacant arm-chair.

In 1847 Emerson published his first and best volumes of poems. Is he to be considered one of the greatest poets? Will he be cherished by the people? Will his fame and his song be transmitted to the latest generations? "The bard," he himself says,

> "Must smite the chords rudely and hard,
> As with hammer or with mace;
> That they may render back
> Artful thunder.
> Leaving rule and pale forethought,
> He shall not his brain encumber
> With the coil of rhythm and number."
>
> (Emerson's works, ix., 106, 107.)

No one, therefore, can be surprised if Emerson is sometimes unmelodious. He makes it the primal duty of the orator, and it is equally so of the poet, "to translate a truth into language perfectly intelligible to the person to whom you speak." (Pp. 285,

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286.) The verses of Emerson are sometimes difficult to be understood. He finds the subjects of poetry only in nature, whereas the highest poetry leads us into the secret of the passions, relations, and actions of living men and women. Homer treats of men and women, of love and war, of heroes and demigods, and of the gods themselves, is always melodious, and is always clear even to a child. And yet Emerson, though so different from Homer, was a poet; that which he has done best, and which will live longest, is in verse.

"Emerson," so writes Holmes, "is always seeing the universal in the particular; is a citizen of the universe; deals with symbols too vast, sometimes too vague; sees the hidden spiritual meaning of things as Cayley and Sylvester see the meaning of their mysterious formulæ; finds in every phenomenon of nature a hieroglyphic. Others measure and describe the monuments; he reads the sacred inscriptions. How alive he makes Monadnoc! Without the help of tools or workmen, Emerson makes 'Cheshire's haughty hill' stand before us an impersonation of kingly humanity, and talk with us as a god from Olympus might have talked. This is the fascination of his poetry; the sense of the infinite fills it with its majestic presence; he has also a keen delight in the every-day aspects of nature. If Emerson is a careless versifier and rhymer, still in his verse there is something which belongs, indissolubly, sacredly, to his thought. All his earlier verse has a certain freshness which belongs to the first outburst of song in a poetic nature. If in the flights of his imagination he is like the strong-winged bird of passage, in his exquisite choice of descriptive epithets his subtle selective instinct penetrates the vocabulary for the one word he wants." (Pp. 321, 322, 323.)

Thus far our biographer. If we turn to special poems, we find "The Problem" a bit of autobiography. In whatever year it may have been written down, it expresses the thought of Emerson when in his earliest manhood he was still teaching a school in Boston. The ancients have a story of a demigod who as he entered the world was stopped at a cross-road by two personages who, in rivalry with each other, sought to direct him in the choice that he was to make between the two roads for his journey through life. The one offered him the goblet filled to the brim with pleasure; the other, the stern virtues of self-sacrifice for the welfare of his fellow-men. In like manner

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Emerson brings back the moment when on his entrance to life two inward voices plead with him. To hear and decide between them, he places himself seemingly before a prelate, one of the most liberal that ever lived — Jeremy Taylor, "the Shakespeare of divines." He must choose whether he will be a seer or a priest; whether he will aspire to the Divinity by intuition, or through the portals of an established church; and Emerson, having in his mind the beautiful, no less than the good and the true, recounts the struggle and his choice in living words that came directly from the soul. Among the fragments of the poetry written by philosophers of antiquity, whether Greek or Roman, nothing of the kind has come down to us that is so good.

Emerson, without entering upon deep scientific researches, gladly received the new teachings of our century.* Tyndall, the man of science, cites from Emerson four lines that excel in beauty of statement and in their truth:

> "Thou canst not wave thy staff in air,
> Or dip thy paddle in the lake,
> But it carves the bow of beauty there,
> And the ripples in rhyme the oar forsake."

In like manner our all-observant biographer does not fail to point out how Emerson, many years before the publications of Darwin on the descent of man, wrote:

> "The youth reads omens where he goes,
> And speaks all languages the rose.
> The wood-fly mocks with tiny noise
> The far halloo of human voice.
> The perfumed berry on the spray
> Smacks of faint memories far away.
> A subtle chain of countless rings
> The next unto the farthest brings,
> And, striving to be man, the worm
> Mounts through all the spires of form."

These lines find their place in the midst of the most glowing description of the changes wrought in nature when the marble sleep of winter is broken and the happy spring brings all her dowry. They keep their place in the new London edition of

* Tyndall's "Lectures on Light," p. 54.

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Emerson's works.* They are left out from their place in the American edition of Emerson's works (ix., 145), perhaps because some of them have been prefixed to one of his prose essays; but that is no reason for excluding them from their original place, unless Emerson of himself, in the full strength of his mind, gave other directions.

On all occasions the mind of Emerson turned to that which was general, to that which concerned the whole. When returning from an excursion into the forest he first learned that telegraph wires had been successfully anchored under the ocean, "the new-found path for thought," he declares,

> "Shall lift man's public action to a height
> Worthy the enormous cloud of witnesses,
> When linked hemispheres attest his deed."
> (Emerson's works, ix., 167.)

And it may be that by the closer connection of nations slavery will be abolished, rulers compelled to avoid making themselves the enemies of the human race, and respect for the rights of the half-civilized and the uncivilized find better anchoring-ground in the hearts of mankind.

The criticisms of our wise biographer on Emerson are throughout candid and instructive. As last words of criticism we cite: "We may not be able to assign the reason of the fascination which the poet we have been considering exercises over us; but this we can say, that he lives in the highest atmosphere of thought; that he is always in the presence of the infinite, and ennobles the accidents of human existence so that they partake of the absolute and eternal while he is looking at them; that he unites a royal dignity of manner with the simplicity of primitive nature; that his words and phrases arrange themselves, as if by an elective affinity of their own, with a *curiosa felicitas* which captivates and enthralls the reader who comes fully under its influence; and that through all he sings as in all he says for us we recognize the same serene, high, pure intelligence and moral nature." (Pp. 341, 342.)

It is a matter of interest to know the political opinions of Emerson; and here are those which he held in the years just preceding the year 1840: "Of the two great parties which, at

* Macmillan's edition of Emerson's poems, vol. iii. of his works, and pp. 195, 196.

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this hour, almost share the nation between them, I should say that one has the best cause, and the other contains the best men. The philosopher, the poet, or the religious man will, of course, wish to cast his vote with the Democrat, for free trade, for wide suffrage, for the abolition of legal cruelties in the penal code, and for facilitating in every manner the access of the young and the poor to the sources of wealth and power. But he can rarely accept the persons whom the so-called popular party propose to him as representatives of these liberties. On the other side, the Conservative party, composed of the most moderate, able, and cultivated part of the population, is timid, and merely defensive of property. It indicates no right, it aspires to no real good, it brands no crime, it proposes no generous policy, it does not build nor write, nor cherish the arts, nor foster religion, nor establish schools, nor encourage science, nor emancipate the slave, nor befriend the poor, or the Indian, or the immigrant. From neither party, when in power, has the world any benefit to expect in science, art, or humanity, at all commensurate with the resources of the nation." (P. 187.)

When, in the struggle between slavery and free labor, Senator Sumner was struck down by violence, and strong and combined efforts were made to force slavery upon Kansas against the will of its people, Emerson threw aside all the reserve of private life to rouse the people to observation and resolute action. One party set up for its candidate for the presidency a man who had not sufficient force of character to have formed an effective government; and the other, a man who could not be depended upon to resist promptly the movements toward disunion. Emerson, as clearly as any one, perhaps more clearly than any one at the time, saw the enormous dangers that were gathering over the Constitution. At a meeting held in Cambridge, Massachusetts, on the 10th of September, 1856, he spoke in this wise:

"The hour is coming when the strongest will not be strong enough. A harder task will the new revolution of the nineteenth century be than was the revolution of the eighteenth century. I think the American Revolution bought its glory cheap. If the problem was new, it was simple. If there were few people, they were united, and the enemy three thousand miles off. But now, vast property, gigantic interests, family connections, webs of party, cover the land with a network that immensely multiplies the dangers of war. Fellow-citizens, in these times full of the fate of the republic, I think the towns should hold town meetings, and resolve themselves into com-

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mittees of safety, go into permanent sessions, adjourning from week to week, from month to month. I wish we could send the sergeant-at-arms to stop every American who is about to leave the country. Send home every one who is abroad, lest they should find no country to return to. Come home and stay at home, while there is a country to save." (Emerson's works, xi., 248.)

It would certainly be difficult, perhaps impossible, to find any speech, made in the same year, that is marked with so much courage and foresight as this of Emerson. More than five years later, when an officer of the army attempted to open the eyes of the government to the all but infinite difficulties that lay in its path and the vastness of the preparations that were needful for success, he was held to be wild and extravagant in his demands. Even after the inauguration of Lincoln, several months passed away before his Secretary of State or he himself saw the future so clearly as Emerson had foreshadowed it in 1856. He lived to see an end of slavery throughout our land; and in a great old age fell finally asleep, with his wife and with children for his survivors, and with the love and veneration of all who had known him.

When he was established in a home of his own, it became the home of his mother; and the regard he showed her was marked by a singular mixture of veneration and affection, as if he had always in mind the very tender memory of their sorrows in the time when she alone bore all the burden of her orphan children. How he could love a brother is recorded for us in the poem in which he bewails a brother's death; how intense was his tenderness as a father, by the words in which he poured forth his sorrows at the death of one of his sons. He never failed a friend; he never forgot his duty to any human being. He held that men were made to do good to one another; it was no burden to him to receive good offices; and he was never weary of ministering to the wants of others, often with a too lavish generosity. In public affairs his nearest object of affection was that of his town, and he knew how, when he pleased, to guide its councils at its meetings. His next love was his State; next came the Union; and next the federation of the many nations of the human race.

In his principles he did not change throughout his life, and there never was a moment in which he was not true to them. He knew how to "obey the voice at eve obeyed at prime." His

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own peace he secured by a tranquillity of mind which never could be disturbed except by wounds that reached his affections. He was an optimist, always full of hope, finding skyborn music in everything, and a power in nature to lift better up to best. He lived always in the enjoyment of universal esteem. While still in the vigor of manhood he had obtained celebrity throughout the nations that lead the culture of the world. Germany was familiar with him through his own works and the able and earnest and most friendly interpretations of them by Herman Grimm. In England his prose and his verse gained alike an ever-increasing audience, and were read and admired in every class of society. The Institute of France showed him honors such as the Academy in elder days had tendered to Benjamin Franklin. At death no one was left alive who was hostile to his good fame or unwilling to extol his virtues. To complete the measure of his happiness, Oliver Wendell Holmes, a favorite with the cultivated English-speaking peoples of two hemispheres, has risen up to be his biographer, and finds that he had no office but to relate how perfect Ralph Waldo Emerson was in sincerity, in the love of justice, and in devotedness to truth, to the beautiful, and to the good.

GEORGE BANCROFT.

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NEW DEPARTURES IN EDUCATION.

If quantity and mechanism are the standards of merit in education, our country excels all others. The American child uses three or four times as many pages of text-books in a year as the European child. In the average excellence of our school-buildings; in the remarkable order and discipline of our school-rooms; in the consummate perfection of our marking systems, by which not only the lesson-getting but often the conduct of the largest classes is graded on a scale so fine and long that no two pupils are alike; in the size of our educational meetings and number of papers read; in the number of our educational journals, now over sixty; in the number of educational publishing houses and the bulk of their productions; in these respects Columbia beats all creation. "At this moment," said the superintendent of schools in a certain large city, taking out his watch, "so many thousand children here are reciting their grammar lesson, and in so many minutes they will all turn to arithmetic." A Sunday-school authority lately declared that as the sun moved across our land, one day in every seven, about seven million children and adults, with little distinction of age or method, would be "on Abraham's sacrifice." Growth in bigness of these many sorts, with statistical illustrations, is the theme of many school reports, addresses, etc., and horizontal expansion has its inspirations. Although, compared with other lands, we almost never have the best in education, we rarely have the worst. But the very vastness, uniformity, and average mechanical excellence of our school system as a whole, admirable as it is in itself, and indispensable as it is for all higher developments, make it less plastic than it should be to the rapidly deepening apprehensions of the very complex conditions of setting children to learn what humanity has toiled to discover and striven to do and be in the world. Our printed courses of study, often so detailed and

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exiguous as to destroy all the teacher's freedom and initiative, and our examination papers and exhibitions, which too often more than make up for lack of thoroughness by the number of studies begun, show off the children so well that we forget that many of our schools are, as has been said, working out here the problem that China has solved so well, viz., how to instruct and not develop. Worst of all is the attempt of the so-called philosophy of this mechanism to meet the rising demand that the school shall do something for morals, by so distinguishing between the functions of church, state, family, and school, that only the above-named methods seem proper for the latter; when the fact is, the only thing that can ever undermine our school system in popular support is a suspicion that it does not moralize as well as mentalize children. This antiquated philosophy of education has no open questions, except into which pigeon-hole, in a predetermined system, new facts and ideas shall go; and it quite forgets that rudiments of the studies are not first principles (at least save in exact sciences, and rarely there), and that the logical order in which subjects are best apprehended by the adult or scientific mind is very different from, and often inconsistent with, the arts of adaptation. This is what we now mean by the "old" in education. It has done great things for us in the past, and is an indispensable basis for future progress. Its danger is complacency and routine; and when we reflect on the sad fatality by which everything in education always tends to gravitate toward the worst, without great and unremitting effort and enthusiasm,— a worst that involves national decay and even calamity,— it may be well to ask ourselves whether such a system is not, on the whole, better adapted to educate henchmen of political and other bosses, civil and religious, than freemen, and to enfeeble moral and muscular fiber, and breed actual distrust for books and mental culture by cram.

The new education, on the other hand (if we may venture to indicate roughly the ever-shifting line between the old and the new in this field), holds that there is one thing in nature, and one alone, fit to inspire all true men and women with more awe and reverence than Kant's starry heavens, and that is the soul and the body of the healthy young child. Heredity has freighted it with all the accumulated results of parental well and ill doing, and filled it with reverberations from a past more vast than science can explore; and on its right development

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depends the entire future of civilization two or three decades hence. Simple as childhood seems, there is nothing harder to know; and responsive as it is to every influence about it, nothing is harder to guide. To develop childhood to virtue, power, and due freedom is the supreme end of education, to which everything else should be subordinated as means. Just as to command inanimate nature we must constantly study, love, obey her, so to control child nature we must first, and perhaps still more piously, study, love, obey it. The best of us teachers have far more to learn from children than we can ever hope to teach them; and what we succeed in teaching, at least beyond the merest rudiments, will always be proportionate to the knowledge we have the wit to get from and about them.

Every important advance or reform in the history of education has been in large measure due to new insights into the nature of childhood, dispelling the mazes of error that are spun with such strange persistence and abundance through the minds of adults about it. There is a partition that insensibly rises between the adult and the child, as between the educated and the uneducated mind, which must be laboriously broken down. Pestalozzi dressed, washed, combed, aired, and slept in the midst of his pauper school-children, shared all their joys and sorrows, and effected his reforms because he had at last come to live in their world, and learned and told something new of childhood. Locke, Froebel, Herbart, Hamilton, Bell, Lancaster, Stowe, Wilderspen, Necker, and most of the teachers whose work and words it is worth our while to ponder in the history of education, studied children, often in a systematic way, as a naturalist studies the instincts of insects and animals; and their exhortation is to follow, observe, adapt to the nature of childhood. Knowledge of the subject to be taught, though so commonly defective, is only the beginning of the teacher's wisdom, especially in all primary and intermediate education. He must look solely at the pupil, and sacrifice, if need be, any method or logical order to the law of exigency, which requires instruction to be given whenever, wherever, and however interest is hottest and curiosity most alert. Premature, belated, ill-adapted information, given without determining just how much knowledge can be presupposed as the point of departure, this is the cram that makes bad, collapsible mental tissue, because not thoroughly digested and assimilated, and originates that worst product

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of artificial methods, a dislike of study and knowledge. All possible, or at least all common errors liable to arise in childish minds at each point of each study, or the great source of ignorance as it may be called, should be carefully studied. To secure some practical knowledge of this kind of juvenile psychology, which should determine the matter as well as the method of teaching, is the object of the graduate courses in pedagogy, or of the almost gratuitous year of probationary apprenticeship now required in several European countries before even the best scholars are allowed to teach. It also explains the partial truth of the monitorial system, that those could teach a subject best who had just learned it, and who also knew the style and language of the learners.

The new education of to-day looks at quality rather than quantity, and has chiefly in view two things: first, methods that are natural, and secondly, educational values—the highest of all kinds of value in the world. When we speak of truth for its own sake, apart from all utilities, we mean its purely educational value. In this sense it is well said that all sciences, religions, states, etc., exist and are good only because and in so far as they develop man. It is plain that the wisest of the founders of our political institutions realized far more than most of us do, that in a country so free and so new, and without authority, precedent, or tradition, only intelligence could control the conditions of human development. Narrow as their views of education were, they felt that in a peculiar sense it must be no less fundamental in a republic like ours than in Plato's, where all problems were ultimately educational ones. The chief specialty of our country must be education, if she is to maintain her place among the powers of the civilized world. Here the wisdom of true statesmanship must culminate. The lawgivers that will rule our land in the next century should and must study well the problems of education. Scientifically, too, the next problem is, undoubtedly, man and his faculties, first to know and then to control the conditions of his development—a most important aspect of the whole problem. The question how high a development man can reach, the fundamental question of civilizations, is likely, or at least ought, to be solved more consciously, and with more design and intelligence here than elsewhere; and hence, too, the great and peculiar significance of our very few educational institutions of highest rank.

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One of the most hopeful things in education is the dawn of better and more objective ways of studying the mind and its growth. The old-fashioned philosophies on which so many present methods of teaching are based, which are still well intrenched in most of our normal schools, seem imposing with their vast generalization, but are too introspective for youth, are formal, and where most absolute, least harmonious among themselves. They have done great good, and it is not needful here to point out their grave defects. But better and more modern methods of research into the phenomena and laws of the soul, more consonant with the demands of modern and especially American life and thought, as specialized and coöperative as science, slowly doing over again the work of the great thinkers of the past century, and without losing their positive result, removing their limitations, enriching and applying their insights — these are now slowly but surely working out a true natural history of man's nascent faculties. Here is the heart of the pedagogy of to-day and of to-morrow, where the science and philosophy of education join friendly hands with the practical teacher, and here he who would speak with authority and be heard in the new departure already ripening, must study with patience and love the psychology of the growing, playing, learning child and youth. Thus alone we can, in the language of Socrates in the Laches, make the education of the children our own education.

As thus the questions that were once thought settled by the old philosophy slowly open, it becomes every day plainer that he will do most for the education of the future who can make original contribution to the anthropology of childhood; for, imposing as any school system may be, it is good and will endure only as it represents and fits the nature and needs of children. Even in discussing such questions as the form, slant, and height of seat in school, the lighting, heating, ventilation, and size of rooms, the duration and frequency of recess, the number of studies, the length of lessons, the best part of the day for study, the best form and size of type and script, the best position in writing, the best size of classes, etc., — points that are now much in debate, — it is to the physical nature of childhood that we must ever turn for a solution, to which he alone makes real contribution who brings new facts about juvenile physiology and hygiene. It is most readily granted that the tact, skill, and insight of those few who are born lovers and leaders of children and youth, like

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Socrates, may be always trusted to make these observations by rapid intuition and adapt their work to juvenile nature by instinct. This is true genius, and always does its work better than any rules or methods that art can prescribe; but, though found in nearly all ranks and places, it is too rare, too suspected, and too often intimidated to be relied upon to keep our vast system *en rapport* with the real needs of children. Froebel recommended that when a child was born, each parent should open a "life-book," in which should be recorded the stages of its physical and mental growth, good and bad influences and qualities, all striking incidents, experiences, and peculiarities, and the parents' own endeavors, motives, fears, hopes, and plans in rearing the child; and that this book should be kept without the child's knowledge, to be given to him at maturity as a guide to aid his choice of profession or calling, physical regimen, etc. The study of child life has already produced a series of valuable pamphlets, mostly by foreign scientific men, containing records of their observations on their own infants, in a few cases carried on into the second decade of life. The same individual and objective method is already in use in the study of idiots, the blind, the deaf, criminals, and the insane, where detailed monographs devoted to a single individual or family are of much value. Applied to animals, it has in the past ten years taught us more of the habits and instincts of beavers, spiders, bees, ants, birds, etc., than all that was known of them before. Most of the writings of Francis Galton and Candolle are in this line, and those interested in anthropology find before them a field as wide as it is new.

As, after all, comparatively little of what is now being done has found its way into print, it may be of interest to say that already, in this country, many teachers are carefully exploring, by many ingenious ways, with due precautions against both harm to the child and error in the results, the minds of individual children of all ages, one after another; carefully noting all important points in the environment, with a view to get at last, when hundreds of records are carefully compared, a better and more objective picture of the inward growth of our faculties, serviceable alike for science and for the practical work of teaching. One observer makes a specialty of the plays and games of children, favorite toys, play-house architecture, play-ground rounds, the romances spun about dolls, pets, charms, flower oracles, jargons, etc., or gathers all the literature of the subject;

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assuming that, in a way, the amount of play-instinct measures the capacity for culture, and with, perhaps, the ulterior question in view, how this instinct can be made more educative. Another questions teachers, and yet another circulates questions for older pupils to answer in writing; and thus much useless but always some valuable matter is collected. Several parents preserve with care, and unknown to the child, every attempt at graphic representations, with pencil or pen, made by their children before positive instruction begins, dated and kept in order in a portfolio or scrap-book. Others make careful studies of child vocabularies; and in the schools of one of our largest cities, the teachers are obliged to keep a record of all the errors in English, including spelling and pronunciation and syntax. Others observe and record everything illustrating the childish sense of justice, or truth and honesty, or friendship and affection, or even cases of conscience, etc. Teeth, eyes, hearing, physical measurements of several sorts, including weight, height, girths, strength, school athletics, school and college journalism,—all these rubrics and more are exciting specialized attention. Many parents keep more general records of the ways and words of their children, with no method or order, but sure to be of value to this new line of interest. Some work of this sort should be required of every normal-school pupil, and when its methods are fully organized it will do much toward making education more of a science, or rather, which is far better, a profession.

By such methods as this, greatly elaborated and perfected by the study of modern psychology, the history of education, and anthropology, we shall know better than now the lines of strongest interest and curiosity in children during each of the main periods of immaturity, and in what order, directions, and rapidity their capacities unfold and may be safely set to work, and how much. Without more knowledge of this kind, the vast power that our school-machinery gives over the development of the child is dangerous. It is acquisition along the lines of least resistance thus ascertained that makes education truly "liberal," whether elementary or advanced. It is this that makes our colleges so much more effective under the elective system, which makes its way wherever the increased expenditure for instructors can be met. To some taste of such truly liberal education every child has a right, and without it, however

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schooled, he knows nothing of the exquisite joy of rapid mental growth. By it the evils of forcing and overwork will become less grave. In this way only is it safe to keep on widening the sphere of culture, utilizing the instincts of play, industry, imitation, fancy, and emulation, and turning everything to educational account. We question whether a modern Socrates would try to repress rather than to utilize and direct the Greek-letter fraternities, athletics, journalism, etc., that are sometimes apparently regarded as the noxious bilge-water of American colleges. For the average collegian, such non-examinable elements do probably more for life than what is derived from the curriculum. Parents regard these things too lightly, and the easy-going, non-paternal system of college government either carefully ignores it, often to the grave moral and mental harm of students, or if it interferes, does it with so little knowledge of human nature at this most peculiar stage, that the whole institution is unsettled. As the unforced opinions of young men are said to be the best materials for prophecy, so it is the voluntary interests that determine all academic ideals. On these interests and spontaneities of youth, all our educational establishments float as on a sea. If they fail, any one of them, these are stranded, and our wisdom is to study well in order well to navigate these still mysterious and propulsive tides. A good method of recommending knowledge to the young, and thus of teaching, is one of the most effective bulwarks against a slow relapse to barbarism, because by it knowledge and all its benign influences slowly filter more effectively down from the higher to the lower intelligences. But all methods, curricula, and programs perish with their representatives, if persisted in from habit or convenience, after the all-controlling needs of childhood have found a better way. Hence, the danger for institutions and men of being left behind, which was never greater in this country than to-day, where progress in these directions is so rapid.

There is now a demand for teachers of education, that is not likely to grow less, in a number of our best colleges, the presidents of which have taken up the lantern of Diogenes in earnest, and, it is to be hoped, not in vain. The work of public-school superintendence has lately become more professional in many parts of the country, and is also increasingly lucrative. Great educational progress is sure to be made in the near future in most of the Western States, where the interest is now far deeper

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and more intense than ever; while the South is about to open to new departures to which hitherto she has been a comparative stranger. Within the domains of psychology, sociology, anthropology, history, medical and sanitary science, and jurisprudence, and even religion, various aspects of education and even of child-study are now recognized special departments. In view of these facts and many more, the writer is of the opinion that there is now no line of intellectual work to which a young baccalaureate can devote himself with greater certainty that industry and ability will find their reward in usefulness, reputation, and position than to the professional study of the theory and history and institutions of education.

G. Stanley Hall.

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THE CERTAINTY OF ENDLESS PUNISHMENT.

THE chief objections to the doctrine of endless punishment are not Biblical but speculative. The great majority of students and exegetes find the tenet in the Hebrew and Greek Scriptures. Davidson, the most learned of English rationalistic critics, explicitly acknowledges that "if a specific sense be attached to words, never-ending misery is enunciated in the Bible. On the presumption that one doctrine is taught, it is the eternity of hell torments. Bad exegesis may attempt to banish it from the New Testament Scriptures, but it is still there, and expositors who wish to get rid of it, as Canon Farrar does, injure the cause they have in view by misrepresentation. It must be allowed that the New Testament record not only makes Christ assert everlasting punishment, but Paul and John. But the question should be looked at from a larger platform than single texts — in the light of God's attributes, and the nature of the soul. The destination of man, and the Creator's infinite goodness, conflicting as they do with everlasting punishment, remove it from the sphere of rational belief. If provision be not made in revelation for a change of moral character after death, it is made in reason. Philosophical considerations must not be set aside even by scripture." (Last Things, pp. 133, 136, 151.)

So long, then, as the controversy is carried on by an appeal to the Bible, the defender of endless retribution has comparatively an easy task. But when the appeal is made to human feeling and sentiment, or to ratiocination, the demonstration requires more effort. And yet the doctrine is not only Biblical but rational. It is defensible on the basis of sound ethics and pure reason. Nothing is requisite for its maintenance but the admission of three cardinal truths of theism, namely, that there is a just God; that man has free will; and that sin is voluntary action. If

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these are denied, there can be no defense of endless punishment — or of any other doctrine, except atheism and its corollaries.

The Bible and all the creeds of Christendom affirm man's free agency in sinning against God. The transgression which is to receive the endless punishment is voluntary. Sin, whether it be inward inclination or outward act, is unforced human agency. This is the uniform premise of Christian theologians of all schools. Endless punishment supposes the liberty of the human will, and is impossible without it. Could a man prove that he is necessitated in his murderous hate and his murderous act, he would prove, in this very proof, that he ought not to be punished for it, either in time or eternity. Could Satan really convince himself that his moral character is not his own work, but that of God, or of nature, his remorse would cease, and his punishment would end. Self-determination runs parallel with hell.

Guilt, then, is what is punished, and not misfortune. Free and not forced agency is what feels the stroke of justice. What, now, is this stroke? What do law and justice do when they punish? Everything depends upon the right answer to this question. The fallacies and errors of Universalism find their nest and hiding-place at this point. The true definition of punishment detects and excludes them.

Punishment is neither chastisement nor calamity. Men suffer calamity, says Christ, not because they or their parents have sinned, "but that the works of God should be made manifest in them." John ix. 3. Chastisement is inflicted in order to develop a good but imperfect character already formed. "The Lord loveth whom he chasteneth," and "what son is he whom the earthly father chasteneth not?" Hebrews xii. 6, 7. Punishment, on the other hand, is retribution, and is not intended to do the work of either calamity or chastisement, but a work of its own. And this work is to vindicate law, to satisfy justice. Punishment, therefore, is wholly retrospective in its primary aim. It looks back at what has been done in the past. Its first and great object is requital. A man is hung for murder, principally and before all other reasons because he has voluntarily transgressed the law forbidding murder. He is not hung from a prospective aim, such as his own moral improvement, or for the purpose of deterring others from committing murder. The remark of the English judge to the horse-thief, in the days when such theft was capitally punished, "You are not hung be-

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cause you have stolen a horse, but that horses may not be stolen," has never been regarded as eminently judicial. It is true that personal improvement may be one consequence of the infliction of penalty. But the consequence must not be confounded with the purpose. *Cum hoc non ergo propter hoc.* The criminal may come to see and confess that his crime deserves its punishment, and in genuine unselfish penitence may take sides with the law, approve its retribution, and go into the presence of the Final Judge, relying upon that great atonement which satisfies eternal justice for sin; but even this, the greatest personal benefit of all, is not what is aimed at in man's punishment of the crime of murder. For should there be no such personal benefit as this attending the infliction of the human penalty, the one sufficient reason for inflicting it still holds good, namely, the fact that the law has been violated, and demands the death of the offender for this reason simply and only. "The notion of ill-desert and punishableness," says Kant (Praktische Vernunft, 151. Ed. Rosenkranz), "is necessarily implied in the idea of voluntary transgression; and the idea of punishment excludes that of happiness in all its forms. For though he who inflicts punishment may, it is true, also have a benevolent purpose to produce by the punishment some good effect upon the criminal, yet the punishment must be justified, first of all, as pure and simple requital and retribution: that is, as a kind of suffering that is demanded by the law without any reference to its prospective beneficial consequences; so that even if no moral improvement and no personal advantage should subsequently accrue to the criminal, he must acknowledge that justice has been done to him, and his experience is exactly conformed to his conduct. In every instance of punishment, properly so called, justice is the very first thing, and constitutes the essence of it. A benevolent purpose and a happy effect, it is true, may be conjoined with punishment; but the criminal cannot claim this as his due, and he has no right to reckon upon it. All that he deserves is punishment, and this is all that he can expect from the law which he has transgressed." These are the words of as penetrating and ethical a thinker as ever lived.

Neither is it true, that the first and principal aim of punishment is the protection of society and the public good. This, like the personal benefit in the preceding case, is only secondary and incidental. The public good is not a sufficient reason for

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putting a man to death; but the satisfaction of law is. This view of penalty is most disastrous in its influence, as well as false in its ethics. For if the good of the public is the true reason and object of punishment, the amount of it may be fixed by the end in view. The criminal may be made to suffer more than his crime deserves, if the public welfare, in suppressing this particular kind of crime, requires it. His personal desert and responsibility not being the one sufficient reason for his suffering, he may be made to suffer as much as the public safety requires. It was this theory of penalty that led to the multiplication of capital offenses. The prevention of forgery, it was once claimed in England, required that the forger should forfeit his life, and upon the principle that punishment is for the public protection, and not for strict and exact justice, an offense against human property was expiated by human life. Contrary to the Noachic statute, which punishes only murder with death, this statute weighed out man's life-blood against pounds, shillings, and pence. On this theory, the number of capital offenses became very numerous and the criminal code very bloody. So that, in the long run, nothing is kinder than exact justice. It prevents extremes in either direction — either that of indulgence or that of cruelty.

This theory breaks down, from whatever point it be looked at. Suppose that there were but one person in the universe. If he should transgress the law of God, then, upon the principle of expediency as the ground of penalty, this solitary subject of moral government could not be punished — that is, visited with a suffering that is purely retributive, and not exemplary or corrective. His act has not injured the public, for there is no public. There is no need of his suffering as an example to deter others, for there are no others. But upon the principle of justice, in distinction from expediency, this solitary subject of moral government could be punished.

The vicious ethics of this theory of penalty expresses itself in the demoralizing maxim, "It is better that ten guilty men should escape than that one innocent man should suffer." But this is no more true than the converse, "It is better that ten innocent men should suffer than that one guilty man should escape." It is a choice of equal evil and equal injustice. In either case alike, justice is trampled down. In the first supposed case, there are eleven instances of injustice and wrong; and in the last sup-

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posed case, there are likewise eleven instances of injustice and wrong. Unpunished guilt is precisely the same species of evil with punished innocence. To say, therefore, that it is better that ten guilty persons should escape than that one innocent man should suffer, is to say that it is better that there should be ten wrongs than one wrong against justice.

The theory that punishment is retributive honors human nature, but the theory that it is merely expedient and useful degrades it. If justice be the true ground of penalty, man is treated as a person; but if the public good is the ground, he is treated as a chattel or a thing. When suffering is judicially inflicted because of the intrinsic gravity and real demerit of crime, man's free will and responsibility are recognized and put in the foreground; and these are his highest and distinguishing attributes. The sufficient reason for his suffering is found wholly within his own person, in the exercise of self-determination. He is not seized by the magistrate and made to suffer for a reason extraneous to his own agency, and for the sake of something lying wholly outside of himself — namely, the safety and happiness of others — but because of his own act. He is not handled like a brute or an inanimate thing that may be put to good use; but he is recognized as a free and voluntary person, who is punished not because punishment is expedient and useful, but because it is just and right; not because the public safety requires it, but because he owes it. The dignity of the man himself, founded in his lofty but hazardous endowment of free will, is acknowledged.

Supposing it, now, to be conceded, that future punishment is retributive in its essential nature, it follows that it must be endless from the nature of the case. For, suffering must continue as long as the reason for it continues. In this respect, it is like law, which lasts as long as its reason lasts: *ratione cessante, cessat ipsa lex.* Suffering that is educational and corrective may come to an end, because moral infirmity, and not guilt, is the reason for its infliction; and moral infirmity may cease to exist. But suffering that is penal can never come to an end, because guilt is the reason for its infliction, and guilt once incurred never ceases to be. The lapse of time does not convert guilt into innocence, as it converts moral infirmity into moral strength; and therefore no time can ever arrive when the guilt of the criminal will cease to deserve and demand its retribution. The reason for retribution to-day is a reason forever. Hence, when God disciplines

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and educates his children, he causes only a temporary suffering. In this case, "He will not keep his anger forever." Ps. ciii. 9. But when, as the Supreme Judge, he punishes rebellious and guilty subjects of his government, he causes an endless suffering. In this case, "their worm dieth not, and the fire is not quenched." Mark ix. 48.

The real question therefore, is, whether God ever punishes. That he chastises, is not disputed. But does he ever inflict a suffering that is not intended to reform the transgressor, and does not reform him, but is intended simply and only to vindicate law, and satisfy justice, by requiting him for his transgression? Revelation teaches that he does. "Vengeance is mine; I will repay, saith the Lord." Rom. xii. 19. Retribution is here asserted to be a function of the Supreme Being, and his alone. The creature has no right to punish, except as he is authorized by the Infinite Ruler. "The powers that be are ordained of God. The ruler is the minister of God, an avenger to execute wrath upon him that doeth evil." Rom. xiii. 1, 4. The power which civil government has to punish crime—the private person having no such power—is only a delegated right from the Source of retribution. Natural religion, as well as revealed, teaches that God inflicts upon the voluntary transgressor of law a suffering that is purely vindicative of law. The pagan sages enunciate the doctrine, and it is mortised into the moral constitution of man, as is proved by his universal fear of retribution. The objection, that a suffering not intended to reform but to satisfy justice is cruel and unworthy of God, is refuted by the question of St. Paul: "Is God unrighteous who taketh vengeance? God forbid: for how then shall God judge the world?" Rom. iii. 5, 6. It is impossible either to found or administer a government, in heaven or upon earth, unless the power to punish crime is conceded.

The endlessness of future punishment, then, is implied in the endlessness of guilt and condemnation. When a crime is condemned, it is absurd to ask, "How long is it condemned?" The verdict "Guilty for ten days" was Hibernian. Damnation means absolute and everlasting damnation. All suffering in the next life, therefore, of which the sufficient and justifying reason is guilt, must continue as long as the reason continues; and the reason is everlasting. If it be righteous to-day, in God's retributive justice, to smite the transgressor because he violated the

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law yesterday, it is righteous to do the same thing to-morrow, and the next day, and so on *ad infinitum;* because the state of the case *ad infinitum* remains unaltered. The guilt incurred yesterday is a standing and endless fact. What, therefore, guilt legitimates this instant, it legitimates every instant, and forever.

It may be objected that, though the guilt and damnation of a crime be endless, it does not follow that the suffering inflicted on account of it must be endless also, even though it be retributive and not reformatory in its intent. A human judge pronounces a theft to be endlessly a theft, and a thief to be endlessly a thief, but he does not sentence the thief to an endless suffering, though he sentences him to a penal suffering. But this objection overlooks the fact that human punishment is only approximate and imperfect, not absolute and perfect like the Divine. It is not adjusted exactly and precisely to the whole guilt of the offense, but is more or less modified, first, by not considering its relation to God's honor and majesty; secondly, by human ignorance of the inward motives; and, thirdly, by social expediency. Earthly courts and judges look at the transgression of law with reference only to man's temporal relations, not his eternal. They punish an offense as a crime against the State, not as a sin against God. Neither do they look into the human heart, and estimate crime in its absolute and intrinsic nature, as does the Searcher of Hearts and the Omniscient Judge. A human tribunal punishes mayhem, we will say, with six months' imprisonment, because it does not take into consideration either the malicious and wicked anger that prompted the maiming, or the dishonor done to the Supreme Being by the transgression of his commandment. But Christ, in the final assize, punishes this offense endlessly, because his All-seeing view includes the sum-total of guilt in the case; namely, the inward wrath, the outward act, and the relation of both to the infinite perfection and adorable majesty of God. The human tribunal does not punish the inward anger at all; the Divine tribunal punishes it with hell fire: "For whosoever shall say to his brother, Thou fool, is in danger of hell fire." Matt. v. 22. The human tribunal punishes seduction with a pecuniary fine, because it does not take cognizance of the selfish and heartless lust that prompted it, or of the affront offered to that Immaculate Holiness which from Sinai proclaimed, "Thou shalt not commit adultery." But the Divine tribunal punishes

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seduction with an infinite suffering, because of its more comprehensive and truthful view of the whole transaction.

Again, human punishment, unlike the Divine, is variable and inexact, because it is to a considerable extent reformatory and protective. Human government is not intended to do the work of the Supreme Ruler. The sentence of an earthly judge is not a substitute for that of the last day. Consequently, human punishment need not be marked, even if this were possible, with all that absoluteness and exactness of justice which characterizes the Divine. Justice in the human sphere may be relaxed by expediency. The retributive element must, indeed, enter into human punishment; for no man may be punished by a human tribunal unless he deserves punishment — unless he is a criminal. But retribution is not the sole element when man punishes. Man, while not overlooking the guilt in the case, has some reference to the reformation of the offender, and still more to the protection of society. Civil expediency and social utility modify exact and strict retribution. For the sake of reforming the criminal, the judge sometimes inflicts a penalty that is less than the real guilt of the offense. For the sake of protecting society, the court sometimes sentences the criminal to a suffering greater than his crime deserves. Human tribunals, also, vary the punishment for the same offense — sometimes punishing forgery capitally, and sometimes not; sometimes sentencing those guilty of the same kind of theft to one year's imprisonment, and sometimes to two.

But the Divine tribunal, in the last great day, is invariably and exactly just, because it is neither reformatory nor protective. Hell is not a penitentiary. It is righteous retribution, pure and simple, unmodified by considerations either of utility to the criminal, or of safety to the universe. Christ, in the day of final account, will not punish wicked men and devils (for the two receive the same sentence, and go to the same place, Matt. xxv. 41), either for the sake of reforming them, or of protecting the righteous from the wicked. His punishment at that time will be nothing but retribution. The Redeemer of men is also the Eternal Judge; the Lamb of God is also the Lion of the tribe of Judah; and his righteous word to wicked and hardened Satan, to wicked and hardened Judas, to wicked and hardened Pope Alexander VI., will be: "Vengeance is mine; I will repay. Depart from me, ye cursed, that work iniquity." Rom. xii. 19;

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Matt. xxv. 41; vii. 23. The wicked will reap according as they have sown. The suffering will be unerringly adjusted to the intrinsic guilt: no greater and no less than the sin deserves. "That servant which knew his lord's will [clearly], and did not according to his will, shall be beaten with many stripes; but he that knew not [clearly], and did commit things worthy of stripes, shall be beaten with few stripes. As many as have sinned without [written] law, shall also perish without [written] law; and as many as have sinned under [written] law, shall be judged by the [written] law." Luke xii. 47, 48; Rom. ii. 12.

It is because the human court, by reason of its ignorance both of the human heart and the true nature of sin against a spiritual law and a holy God, cannot do the perfect work of the Divine tribunal, that human laws and penalties are only provisional, and not final. Earthly magistrates are permitted to modify and relax penalty, and pass a sentence which, though adapted to man's earthly circumstances, is not absolute and perfect, and is finally to be revised and made right by the omniscient accuracy of God. The human penalty that approaches nearest to the Divine is capital punishment. There is more of the purely retributive element in this than in any other. The reformatory element is wanting. And this punishment has a kind of endlessness. Death is a finality. It forever separates the murderer from earthly society, even as future punishment separates forever from the society of God and heaven.

The argument thus far goes to prove that retribution in distinction from correction, or punishment in distinction from chastisement, is endless from the nature of the case. We pass, now, to prove that it is also rational and right.

1. Endless punishment is rational, in the first place, because it is supported by the human conscience. The sinner's own conscience will "bear witness" and approve of the condemning sentence, "in the day when God shall judge the secrets of men by Jesus Christ." Rom. ii. 16. Dives, in the parable, when reminded of the justice of his suffering, is silent. Accordingly, all the evangelical creeds say with the Westminster (Larger Catechism, 89) that "the wicked, upon clear evidence and full conviction of their own consciences, shall have the just sentence of condemnation pronounced against them." If in the great day there are any innocent men who have no accusing consciences, they will escape hell. We may accommodate St. Paul's

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words, Rom. xiii. 3, 4, and say: "The final judgment is not a terror to good works but to evil. Wilt thou, then, not be afraid of the final judgment? Keep the law of God perfectly, without a single slip or failure, inwardly or outwardly, and thou shalt have praise of the same. But if thou do that which is evil, be afraid." But a sentence that is justified by the highest and best part of the human constitution must be founded in reason, justice, and truth. It is absurd to object to a judicial decision that is confirmed by the man's own immediate consciousness of its righteousness. And, as matter of fact, the opponent of endless retribution does not draw his arguments from the impartial conscience, but from the bias of self-love and desire for happiness. His objections are not ethical, but sentimental. They are not seen in the dry light of pure truth and reason, but through the colored medium of self-indulgence and love of ease and sin.

Again: a guilty conscience expects endless punishment. There is in it what the Scripture denominates "the fearful looking-for of judgment, and fiery indignation, which shall devour the adversaries" of God. Hebrew x. 27. This is the awful apprehension of an evil that is to last forever; otherwise, it would not be so "fearful." The knowledge that future suffering will one day cease would immediately relieve the awful apprehension of the sinner. A guilty conscience is in its very nature hopeless. Impenitent men, in their remorse, "sorrow as those who have no hope." 1 Thess. iv. 13; "having no hope, and without God in the world." Eph. ii. 12. "The hope of the wicked shall be as the giving up of the ghost." Job xi. 20. "The hypocrite's hope shall perish." Job viii. 13. Consequently, the great and distinguishing element in hell-torment is despair, a feeling that is simply impossible in any man or fallen angel who knows that he is finally to be happy forever. Despair results from the endlessness of retribution. No endlessness, no despair. Natural religion, as well as revealed, teaches the despair of some men in the future life. Plato (Gorgias 525), Pindar (Olympia II.), Plutarch (De sera vindicta), describe the punishment of the incorrigibly wicked as eternal and hopeless.

In Scripture, there is no such thing as eternal hope. Hope is a characteristic of earth and time only. Here in this life, all men may hope for forgiveness. "Turn, ye prisoners of hope." Zech. ix. 2. "Now is the accepted time; now is the day of sal-

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vation." 2 Cor. vi. 2. But in the next world there is no hope of any kind, because there is either fruition or despair. The Christian's hope is converted into its realization: "For what a man seeth, why doth he yet hope for it?" Rom. viii. 24. And the impenitent sinner's hope of heaven is converted into despair. Canon Farrar's phrase "eternal hope" is derived from Pandora's box, not from the Bible. Dante's legend over the portal of hell is the truth: "All hope abandon, ye who enter here."

That conscience supports endless retribution, is also evinced by the universality and steadiness of the dread of it. Mankind believe in hell, as they believe in the Divine Existence, by reason of their moral sense. Notwithstanding all the attack made upon the tenet in every generation, by a fraction of every generation, men do not get rid of their fear of future punishment. Skeptics themselves are sometimes distressed by it. But a permanent and general fear among mankind cannot be produced by a mere chimera, or a pure figment of the imagination. Men have no fear of Rhadamanthus, nor can they be made to fear him, because they know that there is no such being. "An idol is nothing in the world." 1 Cor. viii. 4. But men have "the fearful looking-for of judgment" from the lips of God, ever and always. If the Biblical hell were as much a nonentity as the heathen Atlantis, no one would waste his time in endeavoring to prove its non-existence. What man would seriously construct an argument to demonstrate that there is no such being as Jupiter Ammon, or such an animal as the centaur? The very denial of endless retribution evinces by its spasmodic eagerness and effort to disprove the tenet, the firmness with which it is intrenched in man's moral constitution. If there really were no hell, absolute indifference toward the notion would long since have been the mood of all mankind, and no arguments, either for or against it, would be constructed.

And finally, the demand, even here upon earth, for the punishment of the intensely and incorrigibly wicked proves that retribution is grounded in the human conscience. When abominable and satanic sin is temporarily triumphant, as it sometimes has been in the history of the world, men cry out to God for his vengeance to come down. "If there were no God, we should be compelled to invent one," is now a familiar sentiment. "If there were no hell, we should be compelled to invent one," is equally true. When examples of great depravity occur, man cries:

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"How long, O Lord, how long?" The non-infliction of retribution upon hardened villainy and successful cruelty causes anguish in the moral sense. For the expression of it, read the imprecatory psalms and Milton's sonnet on the Massacre in Piedmont.

2. In the second place, endless punishment is rational, because of the endlessness of sin. If the preceding view of the relation of penalty to guilt be correct, endless punishment is just, without bringing the sin of the future world into the account. Man incurs everlasting punishment for "the things done in his body." 2 Cor. v. 10. Christ sentences men to perdition, not for what they are going to do in eternity, but for what they have already done in time. It is not necessary that a man should commit all kinds of sin, or that he should sin a very long time, in order to be a sinner. "Whosoever shall keep the whole law, and yet offend in one point, he is guilty of all." James ii. 10. One sin makes guilt, and guilt makes hell.

But while this is so, it is a fact to be observed, that sin is actually being added to sin, in the future life, and the amount of guilt is accumulating. The lost spirit is "treasuring up wrath." Rom. ii. 5. Hence, there are degrees in the intensity of endless suffering. The difference in the grade arises from the greater resoluteness of the wicked self-determination, and the greater degree of light that was enjoyed upon earth. He who sins against the moral law as it is drawn out in the Sermon on the Mount sins more determinedly and desperately than the pagan who sins against the light of nature. There are probably no men in paganism who sin so willfully and devilishly as some men in Christendom. Profanity, or the blaspheming of God, is a Christian and not a Heathen characteristic. There are degrees in future suffering, because it is infinite in duration only. In intensity, it is finite. Consequently, the lost do not all suffer precisely alike, though all suffer the same length of time. A thing may be infinite in one respect and finite in others. A line may be infinite in length, and not in breadth and depth. A surface may be infinite in length and breadth, and not in depth. And two persons may suffer infinitely in the sense of endlessly, and yet one experience more pain than the other.

The endlessness of sin results, first, from the nature and energy of sinful self-determination. Sin is the creature's act solely. God does not work in the human will when it wills

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antagonistically to him. Consequently, self-determination to evil is an extremely vehement activity of the will. There is no will so willful as a wicked will. Sin is stubborn and obstinate in its nature, because it is enmity and rebellion. Hence, wicked will intensifies itself perpetually. Pride, left to itself, increases and never diminishes. Enmity and hatred become more and more satanic. "Sin," says South, "is the only perpetual motion which has yet been found out, and needs nothing but a beginning to keep it incessantly going on." Upon this important point, Aristotle, in the seventh book of his Ethics, reasons with great truth and impressiveness. He distinguishes between ἀκολασία and ἀκρασία; between strong will to wickedness and weak self-indulgence. The former is viciousness from deliberation and preference, and implies an intense determination to evil in the man. He goes wrong, not so much from the pull of appetite and passion, as purposely, knowingly, and energetically. He has great strength of will, and he puts it all forth in resolute wickedness. The latter quality is more the absence than the presence of will; it is the weakness and irresolution of a man who has no powerful self-determination of any kind. The condition of the former of these two men, Aristotle regarded as worse than that of the latter. He considered it to be desperate and hopeless. The evil is incurable. Repentance and reformation are impossible to this man; for the wickedness in this instance is not mere appetite; it is a principle; it is cold-blooded and total depravity.

Another reason for the endlessness of sin is the bondage of the sinful will. In the very act of transgressing the law of God, there is a reflex action of the human will upon itself, whereby it becomes unable to perfectly keep that law. Sin is the suicidal action of the human will. A man is not forced to kill himself, but if he does, he cannot bring himself to life again. And a man is not forced to sin, but if he does, he cannot of himself get back where he was before sinning. He cannot get back to innocency, nor can he get back to holiness of heart. The effect of vicious habit in diminishing a man's ability to resist temptation is proverbial. An old and hardened debauchee, like Tiberius or Louis XV., just going into the presence of Infinite Purity, has not so much power of active resistance against the sin that has now ruined him as the youth has who is just beginning to run that awful career. The truth and fact is, that sin, in and by its own nature and operation, tends to destroy all virtuous force, all holy

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energy, in any moral being. The excess of will to sin is the same thing as defect of will to holiness. The human will cannot be forced and ruined from without. But if we watch the influence of the will upon itself; the influence of its own wrong decisions, and its own yielding to temptations; we shall find that the voluntary faculty may be ruined from within—may surrender itself with such an absorbing vehemence and totality to appetite, passion, and selfishness, that it becomes unable to reverse itself and overcome its own inclination and self-determination. And yet, from beginning to end, there is no compulsion in this process. The transgressor follows himself alone. He has his own way, and does as he likes. Neither God, nor the world, nor Satan forces him either to be, or to do, evil. Sin is the most spontaneous of self-motion. But self-motion has consequences as much as any other motion. And moral bondage is one of them. "Whosoever committeth sin is the slave of sin," says Christ. John viii. 34.

The culmination of this bondage is seen in the next life. The sinful propensity, being allowed to develop unresisted and unchecked, slowly but surely eats out all virtuous force as rust eats out a steel spring, until in the awful end the will becomes all habit, all lust, and all sin. "Sin, when it is finished, bringeth forth death." James i. 15. In the final stage of this process, which commonly is not reached until death, when "the spirit returns unto God who gave it," the guilty free agent reaches that dreadful condition where resistance to evil ceases altogether, and surrender to evil becomes demoniacal. The cravings and hankerings of long-indulged and unresisted sin become organic, and drag the man; and "he goeth after them as an ox goeth to the slaughter, or as a fool to the correction of the stocks — till a dart strike through his liver." Prov. vii. 22, 23. For though the will to resist sin may die out of a man, the conscience to condemn it never can. This remains eternally. And when the process is complete; when the responsible creature in the abuse of free agency has perfected his moral ruin; when his will to good is all gone; there remain these two in his immortal spirit—sin and conscience, "brimstone and fire." Rev. xxi. 8.

Still another reason for the endlessness of sin is the fact that rebellious enmity toward law and its Source is not diminished, but increased, by the righteous punishment experienced by the impenitent transgressor. Penal suffering is beneficial only when it is humbly accepted, is acknowledged to be deserved, and is

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penitently submitted to; when the transgressor says: "Father, I have sinned, and am no more worthy to be called thy son; make me as one of thy hired servants." Luke xv. 18, 19; when, with the penitent thief, he says: "We are in this condemnation justly; for we receive the due reward of our deeds." Luke xxiii. 41. But when in this life retribution is denied and jeered at; and when in the next life it is complained of and resisted, and the arm of hate and defiance is raised against the tribunal, penalty hardens and exasperates. This is impenitence. Such is the temper of Satan; and such is the temper of all who finally become his associates. This explains why there is no repentance in hell, and no meek submission to the Supreme Judge. This is the reason why Dives, the impenitent sensualist, is informed that there is no possible passage from Hades to Paradise, by reason of the "great gulf fixed" between the two; and this is the reason why he asks that Lazarus may be sent to warn his five brethren, "lest they also come into this place of torment," where the request for "a drop of water" — a mitigation of punishment — is solemnly refused by the Eternal Arbiter. A state of existence in which there is not the slightest relaxing of penal suffering is no state of probation.

3. In the third place, endless punishment is rational, because sin is an infinite evil; infinite not because committed by an infinite being, but against one. We reason invariably upon this principle. To torture a dumb beast is a crime; to torture a man is a greater crime. The person who transgresses is the same in each instance; but the different worth and dignity of the objects upon whom his action terminates makes the difference in the gravity of the two offenses. David's adultery was a finite evil in reference to Uriah, but an infinite evil in reference to God. "Against thee only have I sinned," was the feeling of the sinner in this case. Had the patriarch Joseph yielded, he would have sinned against Pharaoh. But the greatness of the sin as related to the fellow-creature is lost in its enormity as related to the Creator, and his only question is: "How can I do this great wickedness and sin against God?" Gen. xxxix. 9.

The incarnation and vicarious satisfaction for sin by one of the persons of the Godhead demonstrates the infinity of the evil. It is incredible that the Eternal Trinity should have submitted to such a stupendous self-sacrifice, to remove a merely finite and temporal evil. The doctrine of Christ's vicarious atonement, logically,

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stands or falls with that of endless punishment. Historically, it has stood or fallen with it. The incarnation of Almighty God, in order to make the remission of sin possible, is one of the strongest arguments for the eternity and infinity of penal suffering.

The objection that an offense committed in a finite time cannot be an infinite evil, and deserve an infinite suffering, implies that crime must be measured by the time that was consumed in its perpetration. But even in human punishment, no reference is had to the length of time occupied in the commission of the offense. Murder is committed in an instant, and theft sometimes requires hours. But the former is the greater crime, and receives the greater punishment.

4. That endless punishment is reasonable is proved by the preference of the wicked themselves. The unsubmissive, rebellious, defiant, and impenitent spirit prefers hell to heaven. Milton correctly represents Satan as saying: "All good to me becomes bane, and in heaven much worse would be my state"; and, also, as declaring that "it is better to reign in hell than to serve in heaven." This agrees with the Scripture representation, that Judas went "to his own place." Acts i. 25.

The lost spirits are not forced into a sphere that is unsuited to them. There is no other abode in the universe which they would prefer to that to which they are assigned, because the only other abode is heaven. The meekness, lowliness, sweet submission to God, and love of him, that characterize heaven, are more hateful to Lucifer and his angels than even the sufferings of hell. The wicked would be no happier in heaven than in hell. The burden and anguish of a guilty conscience, says South, is so insupportable that some "have done violence to their own lives, and so fled to hell as a sanctuary, and chose damnation as a release." This is illustrated by facts in human life. The thoroughly vicious and ungodly man prefers the license and freedom to sin which he finds in the haunts of vice to the restraints and purity of Christian society. There is hunger, disease, and wretchedness in one circle; and there is plenty, health, and happiness in the other. But he prefers the former. He would rather be in the gambling-house and brothel than in the Christian home.

The finally lost are not to be conceived of as having faint desires and aspirations for a holy and heavenly state, and as feebly but really inclined to sorrow for their sin, but are kept in hell contrary to their yearning and petition. They are sometimes so de-

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scribed by the opponent of the doctrine, or at least so thought of. There is not a single throb of godly sorrow or a single pulsation of holy desire in the lost spirit. The temper toward God in the lost is angry and defiant. "They hate both me and my Father," says the Son of God, "without a cause." John xv. 24, 25. Satan and his followers "love darkness rather than light," hell rather than heaven, "because their deeds are evil." John iii. 19. Sin ultimately assumes a fiendish form and degree. It is pure wickedness without regret or sorrow, and with a delight in evil for evil's sake. There are some men who reach this state of depravity even before they die. They are seen in the callous and cruel voluptuaries portrayed by Tacitus, and the heaven-defying atheists described by St. Simon. They are also depicted in Shakespeare's Iago. The reader knows that Iago is past saving, and deserves everlasting damnation. Impulsively, he cries out with Lodovico: "Where is that viper? bring the villain forth." And then Othello's calmer but deeper feeling becomes his own: "I look down towards his feet — but that's a fable: If that thou be'st a devil, *I* cannot kill thee." The punishment is remitted to the retribution of God.

5. That endless punishment is rational, is proved by the history of morals. In the history of human civilization and morality, it is found that that age which is most reckless of law, and most vicious in practice, is the age that has the loosest conception of penalty, and is the most inimical to the doctrine of endless retribution. A virtuous and religious generation adopts sound ethics, and reverently believes that "the Judge of all the earth will do right," Gen. xviii. 25; that God will not "call evil good, and good evil, nor put darkness for light and light for darkness," Isa. v. 20; and that it is a deadly error to assert with the sated and worn-out sensualist: "All things come alike to all; there is one event to the righteous and the wicked." Eccl. ix. 2.

The French people, at the close of the last century, were a very demoralized and vicious generation, and there was a very general disbelief and denial of the doctrines of the Divine existence, the immortality of the soul, the freedom of the will, and future retribution. And upon a smaller scale, the same fact is continually repeating itself. Any little circle of business men who are known to deny future rewards and punishments are shunned by those who desire safe investments. The recent un-

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common energy of opposition to endless punishment, which started about ten years ago in this country, synchronized with great defalcations and breaches of trust, uncommon corruption in mercantile and political life, and great distrust between man and man. Luxury deadens the moral sense, and luxurious populations are not apt to have the fear of God before their eyes. Hence luxurious ages are immoral.

One remark remains to be made respecting the extent and scope of hell. It is only a spot in the universe of God. Compared with heaven, hell is narrow and limited. The kingdom of Satan is insignificant in contrast with the kingdom of Christ. In the immense range of God's dominion, good is the rule, and evil is the exception. Sin is a speck upon the infinite azure of eternity; a spot on the sun. Hell is only a corner of the universe. The Gothic etymon denotes a covered-up hole. In Scripture, hell is a "pit," a "lake"; not an ocean. It is "bottomless," but not boundless. The Gnostic and Dualistic theories, which make God and Satan or the Demiurge nearly equal in power and dominion, find no support in Revelation. The Bible teaches that there will always be some sin and some death in the universe. Some angels and men will forever be the enemies of God. But their number, compared with that of unfallen angels and redeemed men, is small. They are not described in the glowing language and metaphors by which the immensity of the holy and blessed is delineated. "The chariots of God are twenty thousand, and thousands of angels." Ps. lxviii. 17. "The Lord came from Sinai, and shined forth from mount Paran, and he came with ten thousands of his saints." Deut. xxxii. 2. "The Lord hath prepared his throne in the heavens, and his kingdom ruleth over all." Ps. ciii. 21. "Thine is the kingdom, and the power, and the glory." Matt. vi. 13. The Lord Christ "must reign till he hath put all enemies under his feet." 1 Cor. xv. 25. St. John "heard a voice from heaven as the voice of many waters, and as the voice of a great thunder." Rev. xiv. 1. The New Jerusalem "lieth four square, the length is as large as the breadth; the gates of it shall not be shut at all by day; the kings of the earth do bring their honor into it." Rev. xxi. 16, 24, 25. The number of the lost spirits is never thus emphasized and enlarged upon. The brief, stern statement is, that "the fearful and unbelieving shall have their part in the lake that burneth with fire and brimstone." Rev. xxi. 8. No metaphors and amplifications are added to make

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the impression of an immense "multitude which no man can number."

We have thus briefly presented the rational defense of the most severe and unwelcome of all the tenets of the Christian religion. It must have a foothold in the human reason, or it could not have maintained itself against all the recoil and opposition which it elicits from the human heart. Founded in ethics, in law, and in judicial reason, as well as unquestionably taught by the Author of Christianity, it is no wonder that the doctrine of eternal retribution, in spite of selfish prejudices and appeals to human sentiment, has always been a belief of Christendom. From theology and philosophy it has passed into human literature, and is wrought into its finest structures. It makes the solemn substance of the Iliad and the Greek Drama. It pours a somber light into the brightness and grace of the Æneid. It is the theme of the Inferno, and is presupposed by both of the other parts of the Divine Comedy. The epic of Milton derives from it its awful grandeur. And the greatest of the Shakespearean tragedies sound and stir the depths of the human soul by their delineation of guilt intrinsic and eternal.

In this discussion, we have purposely brought into view only the righteousness of Almighty God, as related to the voluntary and responsible action of man. We have set holy justice and disobedient free-will face to face, and drawn the conclusions. This is all that the defender of the doctrine of retribution is strictly concerned with. If he can demonstrate that the principles of eternal rectitude are not in the least degree infringed upon, but are fully maintained, when sin is endlessly punished, he has done all that his problem requires. Whatever is just is beyond all rational attack.

But with the Christian Gospel in his hands, the defender of the Divine justice finds it difficult to be entirely reticent and say not a word concerning the Divine mercy. Over against God's infinite antagonism and righteous severity toward moral evil there stands God's infinite pity and desire to forgive. This is realized, not by the high-handed and unprincipled method of pardoning without legal satisfaction of any kind, but by the strange and stupendous method of putting the Eternal Judge in the place of the human criminal; of substituting God's satisfaction for that due from man. In this vicarious atonement for sin, the Triune God relinquishes no claims of law, and waives no

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rights of justice. The sinner's Divine Substitute, in his hour of voluntary agony and death, drinks the cup of punitive and inexorable justice to the dregs. Any man who, in penitent faith, avails himself of this vicarious method of setting himself right with the Eternal Nemesis, will find that it succeeds; but he who rejects it must through endless cycles grapple with the dread problem of human guilt in his own person, and alone.

WILLIAM G. T. SHEDD.

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THEORIES REGARDING THE SUN'S CORONA.

PROBABLY most of our readers know that during a total solar eclipse, when the moon for a few moments interposes herself and replaces the dazzling disk of the sun by an inky blot upon the heavens, then, surrounding it appears the "corona," the loveliest and most impressive of all celestial objects; a wonderful glory of silvery light and streaming radiance, revealed to our admiration for an instant, and then immediately withdrawn; accessible to observation and study only for a few minutes in a century. It is no mere structureless luminosity of fog or haze, but is built up of various elements. There are in it brilliant hair-like filaments closely and curiously intertwined; long, bright radiating streamers like comets' tails, and forms like the petals of some luminous flower; all floating in a filmy nebulosity, which here and there is scored by straight, dark rifts cutting clear down through everything to the very edge of the moon, like shadows cast by a gas-light in a dusty air, or like the dark rays one often sees in a summer afternoon reaching outward from the sun before a shower. For the most part, the coronal forms are rather indefinite and uncertainly outlined, confused in dazzling brightness at the base, and fading out insensibly, at a distance that depends much on the clearness of the air and the keenness of the observer's eye. At least, this is true of most of the longer streamers, for often there is a rather surprising degree of sharpness in some of the lower outlines, so that the corona is sometimes described as nearly square, or a five or six rayed star, or like a head with parted hair, according to occasion—never twice alike exactly.

It is obvious that if the corona is really at the sun, it must be of enormous dimensions, extending many hundreds of thousands of miles, and even millions, from the central globe; an object of cosmical importance, to be ranked with nebulæ and

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comets. If, on the other hand, it can be shown to be due to the lunar atmosphere, and still more if it should turn out to belong to the earth's atmosphere, or, in other words, to be a purely optical phenomenon, then, however beautiful and impressive it may be, it drops to a lower rank, and takes its place with rainbows and halos, and sunset glows. At the outset, the writer may as well affirm his complete conviction that the corona is mainly solar, to be thought of and respected as such, but that purely atmospheric and optical effects contribute more or less to the phenomenon as we see it. At the same time, there are high authorities in solar physics who would dissent from the "mainly solar," and would ascribe a much greater relative importance to the atmospheric and optical elements.

No one at present seems to credit the moon with much influence in the matter, except as a mere screen or shadow-casting body; there is no lunar atmosphere of such extent and character as to account for the corona. At least, this is the almost universal belief of astronomers; and yet it is perhaps not quite impossible that there may really be some exceedingly rare gaseous envelope around our satellite, not dense enough to be perceived at any other time, though still sufficient to become visible under the circumstances of an eclipse. But even if this should turn out to be the case, it may be considered certain that the lunar element of the corona is relatively unimportant.

The explanation that immediately suggests itself to one looking at the matter superficially is undoubtedly that which would refer the corona to the action of the earth's atmosphere. We are so used to seeing illumination around the edge of any object that has a brilliant light behind it, that it is most natural to think of the corona as caused in the same way. Whenever a beam of sunlight is transmitted through air, a portion of the light is diffused into the surrounding space, so that to an eye situated a little one side the air in the path of the beam is intensely luminous. There are curious questions whether this diffusion is due to the air itself, or to minute particles of foreign matter in the air, since the clearer the air the less the illumination; but the diffusion always takes place to a greater or less extent. But when we come to consider the circumstances of an eclipse, it is at once evident that the corona cannot be accounted for in this manner. At the middle of a total eclipse the observer is in the center of a

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great shadow, from fifty to one hundred and fifty miles in diameter, so that the air in the region of the sky near the sun is as much in the dark as he is himself; the sun does not shine upon it at all, and it cannot therefore by any possibility send him any sunlight. But if there is any real solar or lunar corona, then of course the action of the earth's atmosphere would diffuse the light of this corona just as it would true sunlight; and so, though it cannot cause the phenomenon, the air must modify it, rendering the glory more extensive, softening its sharper outlines, and enveloping them in a luminous haze. And since the air between the eye of the observer and the dark disk of the moon is exposed to the coronal light, this atmospheric illumination must extend inward from the edges of the lunar disk, as well as outward. It does so, making the moon to stand out like a globe, instead of looking like a flat disk; and this illumination of the moon's disk is a fair measure of the atmospheric element in the corona, which is thus shown to be comparatively trifling, though real.

In some way the objections to the atmospheric origin of the corona escaped the notice of even eminent astronomers for a while, and the theory was warmly supported until, and even after, spectroscopic observations settled the matter in 1869 and 1870 by showing that the coronal light is not simple reflected sunlight. If it were, its spectrum would contain all the peculiar dark markings (the Fraunhofer lines) that characterize sunlight; while, in fact, the only conspicuous feature of the spectrum is a brilliant green line, due to some unknown gas. Bright lines due to hydrogen are also present, and there are besides certain other bright lines in the violet and ultra-violet portions of the spectrum, which, though they affect the eye only feebly or not at all, are yet more efficient upon the photographic plate than even the green line. A few of the dark Fraunhofer lines have also been seen occasionally upon a faint background, showing that although reflected or diffused sunlight is not the main constituent of the coronal luminosity, it is still present to some extent. It is to be noticed, moreover, that the bright streamers and other similar markings of the corona seem to give principally a smooth, continuous, unlined spectrum, as if they consisted of incandescent particles, solid or liquid, while the bright green line and the hydrogen lines seem to be due rather to the nebulous light that bathes and permeates the whole. This green

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line, by the way, is often referred to as "the corona-line," and sometimes as "1474," because upon Kirchhoff's map of the solar spectrum, which was in ordinary use in 1869, it occurs at that number on the scale that is printed alongside the spectrum as a means of reference.

The presence of these bright lines in the spectrum of the coronal light demonstrates two things: that the corona is not luminous by the mere reflection and dispersion of ordinary sunlight by mist, or cloud, or anything of that nature; and further, that the light does come, in considerable measure, at least, from luminous gases at the sun. (We assume that every reader knows that bright-line spectra come only from glowing gas.) This demonstration that the corona is really of solar origin, and not a phenomenon of the lunar or terrestrial atmosphere, is borne out and confirmed by photographic evidence. In 1871 three fine series of photographs of the corona were obtained by observers many hundred miles apart. One station was at Bekul, on the western coast of India, another in northern Ceylon, and still a third on the island of Java. It took the moon's shadow nearly half an hour to traverse the line, and of course the atmospheric circumstances were more or less different at each station. But all the photographs agree with curious precision in all the main features, and even in most of the finer details of the corona. In fact, there are no evident discrepancies whatever, such as must have occurred if there was anything local in the appearance. Since 1870 other similar series of eclipse photographs have been obtained (notably in 1878), and they all tell the same story of the solar nature of the corona.

The hypothesis that seems to meet most of the conditions thus far indicated, and until very recently has commanded the almost unanimous assent of astronomers (and probably does so still), is substantially as follows:

It is supposed that the sun is surrounded by an envelope of mingled gases, in which hydrogen and the unknown substance to which the green line is due are specially predominant. In many respects this gaseous envelope is analogous to the atmosphere of the earth, and so it is often spoken of as a solar atmosphere, but always with the implied reservation that the extreme difference between the solar and terrestrial conditions must necessarily impair the analogy in numerous and important particulars. In this "coronal atmosphere," as Janssen has called it, there are

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filaments and streamers and other forms that are probably not gaseous, but composed of mist and dust; some of them may be of meteoric origin, and some composed of matter ejected from the sun, while others perhaps are due to the condensation of vapors in the "coronal atmosphere," as clouds are formed in the air. As to the straight, dark rifts, they are more difficult to explain than anything else, but perhaps may be compared to the dark channel in the center of a comet's tail behind the nucleus. The relation of the streamers and filaments to the poles of the sun suggests the operation of forces analogous to those that produce the aurora borealis in our own upper air. At one time, indeed, when the bright line of the corona spectrum was first discovered, the line was supposed to be identical with one of the lines in the spectrum of the aurora; and an attempt (for which the writer was largely responsible) was made to identify the two phenomena, both in respect to the materials concerned and the nature of the forces that produce the characteristic forms. But it did not require any long period of observation to show that the imagined identity of spectra was a mistake; the gaseous elements of the aurora and of the corona are certainly not the same; and while no evidence has been brought to show that magnetic forces on the sun may not be influential in forming and arranging the coronal streamers, just as the earth's magnetism unquestionably does give shape and arrangement to our auroral beams, yet it must be admitted that no progress has been made in establishing the analogy.

If this theory — that the corona is really a solar envelope — is true, then evidently it is an affair of stupendous dimensions. The average width of the luminous ring is at least 15′ on all ordinary occasions, and this implies an average elevation of more than 400,000 miles above the solar photosphere. But many of the streamers extend four or five times as far; and during the eclipse of 1878 some of them were traced, in the clear air of Colorado, to a distance of fully 6°, or more than 9,000,000 miles. If the sun is always really surrounded by such a magnificent nebula, may we not hope to reach the vision of it at some other time than during the few brief moments of eclipse, and in some way to map out its outlines and watch its changes from day to day? The spectroscopic method, which succeeds with the brilliant, cloud-like flames of hydrogen that lie on and close above the solar surface, breaks down with the

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corona. The spectroscope does indeed, any day, without much trouble, show the bright 1474 line at the edge of the solar disk; but only at the edge, never at any height. Though we can study at our leisure, and with delightful satisfaction, the forms and behavior of the hydrogen prominences, not a glimpse can be obtained of the more delicate, but not less beautiful, texture that lies at the base of the corona, nor of the grander features of the fainter outlying nebulosity.

But it will be remembered that spectroscopic observations at the time of an eclipse have shown that the coronal halo is rich in rays that belong to the ultra-violet. This fact suggested to Dr. Huggins the idea that it might be possible to render visible by photography the coronal forms that do not reach the eye. By the use of a reflecting telescope, with arrangements and appliances that we cannot here describe, he has attained what looks like a success, although it is not so evident and decided as to warrant very positive assertion. Screening off the image of the sun itself from the photographic plate, and taking all possible precautions to prevent the irregular reflection and scattering of light, he obtains, around the circle where the sun's image would be if not screened off, a ghostly phantasm of faint outlines that certainly most closely resemble and simulate what is conspicuous at an eclipse. The shadings are so faint and so indefinite that one naturally fears the effect of his imagination in their interpretation; but nearly all who have seen them agree as to their reality and nature. The plates, moreover, seem to prove that some of the coronal features are quite persistent, lasting for months, and coming round regularly into the same aspect at each solar rotation.

The past year has been so unfavorable for this sort of work, on account of the strange haze that has filled the air, that little, if any, new advance has been made in the investigation. An observer, with suitable apparatus, was sent to the Riffelberg, in Switzerland, last summer, in hopes that the mountain air would prove more transparent and less reflecting than that of the lower regions, thus giving a darker background for the shadowy forms. But, as has been intimated, the newest plates, so far as yet heard from, excel those made by Dr. Huggins two years ago only very slightly, if at all. It is still quite possible to accept them as actual, though feeble, portraits of a real solar nebula, or to reject them as showing to an unprejudiced eye nothing more

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than such slight inequalities of light and shade as always appear upon a photographic plate when subjected to a prolonged and forced development. Until something more conclusive is obtained, it is likely that opinions will continue to differ in regard to them.

But there are serious difficulties in the way of accepting the idea of a solar atmosphere and a solar nebula as the true explanation of the corona, and there are phenomena that seem to point in a different direction.

The principal objection to the nebula-theory of the corona, if we may call it so, lies in the undeniable difficulty of supposing so deep an atmosphere to surround the sun, consistently with the known intensity of solar gravity, and the ascertained fact that in several cases comets have rushed through the coronal regions with a velocity of from one hundred to three hundred miles a second, and yet have experienced no sensible retardation of their motion; their orbits have shown no change. Granting that the solar atmosphere is governed by the same laws as the terrestrial, it is easy to show that if at the elevation of one hundred thousand miles its density were one-millionth that of the air at the earth's surface, then at the sun's surface it must be many million times denser than lead. The objection, however, is less formidable than at first it looks; because, to begin with, it is not certain, or even likely, that at solar temperatures the same laws of gaseous compression hold as at terrestrial temperature; and besides, the phenomena of comets' tails render it almost indisputable that the sun somehow exerts upon certain forms of matter a powerful repulsive force, which opposes and may neutralize or even overpower gravitation. We have therefore no right to assume that the downward increase of density in the solar atmosphere follows any such rule as holds good upon the earth. And as regards the resistance to comets' motions, it is a gratuitous assumption that the density of the coronal atmosphere is anything like one-millionth that of the air at the earth's surface. The phenomena of Crookes's tubes show that a gas of this low density, even in quantities of only a few cubic inches, can produce light of extreme intensity. It is obvious, therefore, that all the luminous phenomena of the corona, considering the enormous depth of every line of sight drawn through it, could be accounted for by an atmosphere of a density millions of times below that in any vacuum tube ever

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constructed. One molecule to each cubic inch would probably answer every purpose, so far as the optical phenomena are concerned, while according to the estimates of Professor Johnston Stoney, with which other physicists are in substantial agreement, the number of molecules in each cubic inch of atmospheric air at the sea-level is about twenty thousand millions of millions of millions (20,000,000000,000000,000000). It may be added, that whatever may be the theoretical difficulties in the way of supposing the solar atmosphere to extend to an elevation of one hundred thousand miles, yet the phenomena of solar prominences, and the forms and motions of the hydrogen at their summits, show the actual presence of a surrounding medium (invisible in the spectroscope, of course) comparable in density with the visible hydrogen itself. Other objections, and somewhat serious ones, are drawn from the peculiar polarization of the light in different parts of the corona, which is thought by many to be inconsistent with the nebula-theory. Still another objection, the last we shall mention, lies in the fact that the appearance of the corona is that of something flat. It is very difficult to imagine any arrangement of streamers upon a globe which would look like what we actually see, and the dark straight rifts are especially awkward to explain.

These difficulties, and a few others, which we have not space to discuss here, have led Professor Hastings of New Haven to propose a new theory of the corona, which reduces it to a mere diffraction phenomenon, an optical effect produced by the passage of light from the edges of the solar disk near to the edge of the moon. It is not reflection nor refraction; it implies no action of the terrestrial or lunar atmosphere; but it belongs to the same class of optical effects as the so-called "Grimaldi fringes" at the edge of a shadow, the colors of a soap-bubble, and the iridescence of mother-of-pearl, all of which are due to what is known as the interference of light, *i. e.*, to the combination of overlying and opposing waves under certain peculiar conditions. The idea that the corona might be due to diffraction is not new, but previous mathematical investigations of the matter had shown that, assuming the usual equations of light, the explanation breaks down; no considerable quantity of light could be bent into the moon's shadow. By assuming, however, what is very probably true (for reasons that we cannot here discuss), that at different moments the phases of the light-waves change,

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in such a way that they no longer form a continuous periodic series, Professor Hastings makes the equations present a different aspect, and it appears quite probable that considerable luminous disturbance might be propagated inside the moon's shadow, so as to give to an observer the impression of a bright fringe around the moon. Any irregularities in the edge of the moon, or in the brightness of different parts of the edge of the sun, would then give rise to straight radial streaks, bright or dark as the case might be, though they could hardly account for the curved forms that are still more common. If this theory is true, the corona ought to be much wider on the side where the edge of the sun is least deeply covered. Professor Hastings proposed this as a crucial test of his theory, and during the eclipse of May, 1883, in the South Pacific, he verified his idea by observations with an ingenious apparatus devised and constructed by himself expressly for the purpose. When the eclipse first became total, the 1474 line was visible on the eastern side of the sun (just covered) to a distance of 10′ or 12′, while on the western edge the extent was barely 3′ or 4′. Just before the close of totality, the conditions were reversed. The only different explanation for this change yet proposed attributes it simply to diffusion of light by our air. The lower part of the corona is so much brighter than the upper, that it scatters light much more widely. Professor Hastings gives strong, if not absolutely conclusive, reasons for rejecting this explanation; and if we renounce it, it will be difficult to avoid admitting the substantial correctness of his theory. One who wishes to understand his ideas fully will find it best to consult the original report, which is just published in the second volume of the "Transactions of the National Academy of Sciences."

To the writer it does not seem that the new theory excludes the old. It may be true that diffraction diverts light coming from points very near the limb of the sun out of its straight course, and causes it to enter the lunar shadow; but this does not negative the idea of a solar atmosphere of considerable extent. The objections urged against the existence of such a nebulous solar envelope, though certainly involving serious difficulties and demanding consideration, do not appear conclusive. Of course, if the corona photographs of Dr. Huggins are accepted, and if they should hereafter be confirmed by new ones of greater clearness, that would close the discussion.

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The December number of "The Observatory," which has come to hand since the above was put in type, contains an important letter from Mr. C. Ray Woods, the observer who was sent to the Riffelberg last summer by the Royal Society. His earlier results, as already mentioned, were not much in advance of those previously obtained in England; but later, after a little experience, he seems to have overcome all the most serious difficulties, to have gained the full advantage of his superior atmospheric conditions, and so to have reached unqualified success. We have not space to quote his detailed account of apparatus and methods, and his explanation of the photographic and other principles involved, but only to give his conclusions. He says:

"As would be expected, the results are better than had been obtained in England, in spite of the red haze which has always been present round the sun, and which visitors to Switzerland have commented on in several of the scientific journals recently. Results on the same day are almost, if not quite, alike, both with the disk and without. The corona varies more or less from day to day. The clearer the day, the better the results. The series extends over a period of two months, one month's results being free from effects that require elimination."

C. A. YOUNG.

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SHALL CLERGYMEN BE POLITICIANS?

THE clergyman in politics is by no means a novel or modern figure. He has always been familiar in Rome; and in France, Germany, England, every country that has had a state church, he has often played a prominent part. But in our own country, where the church and the state are constitutionally separated, his position is necessarily somewhat different. His appearance is doubly significant. He represents theories and tendencies that, although familiar to us in history, are as yet foreign to us in experience. He has a prophetic importance. And therefore it may not be improper to endeavor to set forth briefly, in an abstract and impersonal way, some of the principles and truths that apply to him in this present age, and under this nonsectarian government.

In the first place, all clergymen are men,—except those few that are women, and they are hardly numerous enough to count. As men, they have the same duties, rights, and privileges as all other citizens. These may be briefly enumerated, with regard to political questions, under three heads. First, they have the right of free thought and free speech, sacred, inalienable, inestimable; second, they have the duties of obedience to law, loyalty to government, and the exercise of their active powers for the highest welfare of their country; third, they have the privilege (which is also a duty) of voting on all questions of public interest, in accordance with the dictates of their reason and conscience, with none to molest or make them afraid. Of these rights and obligations no professional restrictions can rob them; and the church that attempts to obstruct or hinder its ministers in their exercise has no farther claim upon the protection of a republican government.

In the second place, all clergymen are bound by the responsibilities of their office, and by the definite instructions of the

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Bible, publicly to support and exalt "the powers that be," in the exercise of lawful authority. They must preach the Christian duties of obedience, order, and loyalty. They must pray with their congregations for the chief magistrate and all others that bear the staff of rule. They must endeavor to enforce, with the holy sanctions of religion, the precepts of that inspired law of life which commands men in the same sentence to "fear God" and "honor the king."

These are clear and positive principles. They can hardly be denied by any one who takes a candid view of the obligations of citizenship and has an intelligent faith in the doctrines of holy Scripture. If they were honestly followed and applied, they would make all the clergy faithful, earnest, and eminently useful citizens. I think they are sufficient, and at the same time I think they are exhaustive. They cover and sum up, within their sphere, the whole duty of the clergyman. Beyond this he has no business, no calling, no place. As a man, he may do what he pleases, within the limits of the law. But as a clergyman, an office-bearer and representative of a church, claiming, or at least exercising, an influence by virtue of his sacred profession, carrying with him the more or less venerable titles of Reverend and Doctor of Divinity,— as a member of a class that derives whatever power and authority it may have from its separation from the world and its peculiar connection with religion, he ought not to enter publicly and officially into party politics; he ought not to mingle in the active strife and petty conflict of an ordinary political campaign; he ought not to weaken the force of his loyalty to the general Government by violent advocacy of a particular party; he ought not to misuse the official authority that has been given to him by the church for a higher purpose, in attempting to control the decision of purely economic and personal questions upon which the church, as the Kingdom of Christ, has, and can have, no opinion. Remembering, then, that we do not now speak of the private action of individuals, nor of the conduct of those men (often of the largest talents and widest usefulness) that are virtually separated from the distinctive office of a clergyman (which is the oversight and instruction of the church), we may sum up what remains to be said under three points.

The clergyman in politics is superfluous. He has no special fitness or training for this sphere of activity. In fact, we may

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question whether he is not actually unfitted for it. And certainly his frequent and absurd mistakes, when he attempts it, have often given occasion to the pious to mourn, to the ungodly to scoff, and to the politicians to swear. Why should the clergyman attempt to tell you how to vote? He is not a master of political economy. He has no angelic intuition in regard to questions of fact. The only ground on which he can assume a peculiar right to instruct or control any one in these matters is the theory that a spiritual father must also be a temporal director; and this is a theory against which, I think, the majority of the American people have an unconquerable prejudice.

The clergyman in politics is disloyal. The government under which he lives affords a generous and impartial protection to all forms of religious faith and worship; it does not discriminate between them. The official or judge who should be influenced in his decisions by denominational considerations, saving all his favor for the Protestants as against the Roman Catholics, or perverting justice to serve the Baptists rather than the Methodists, would be worthy of universal execration, and probably he would receive it. As men, of course, the officers of government may belong to any religious body they may prefer; but as officers they are bound to be impartial. The same principles apply to clergymen as officers of the church. Reciprocity is essential in toleration. A non-sectarian state implies a non-partisan church. If you destroy one you destroy the other. If you bind any particular church to the support of any political party, rather than to the larger loyalty that knows no parties, the result is inevitable, though it may be slow. You are binding that party to the support of that particular church; you are undermining the foundations of civil and religious liberty; you are unconsciously preparing the way for the worst kind of union between church and state, a union in which the word "church" shall be synonymous with a sect, and the word "state" synonymous with a section. If such a result should ever come to pass,—and it is not beyond the bounds of possibility,—it is morally certain that the favored church in a democracy will be that which can cast the largest vote. None of the younger denominations can possibly compete with it in a race of this kind. It would be a bitter but not an unjust humiliation, if the members of those distinctively Protestant communions which have always professed to cherish the principles of religious lib-

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erty, equality, and toleration, grasping in an evil hour the sword of political interference, should in the end perish by that same sword. Let the clergyman that flings himself and his church into a strife manifestly partisan and secular, reflect whether he is not thereby weakening and impairing that sacred allegiance which he owes first of all to the country at large, and to the Government in its highest conception, not as an instrument of sectional triumph, but as an embodiment of that supreme power and authority which God has delegated to human rulers.

The clergyman in politics is injurious. When he lowers the pulpit to the level of the stump, when he turns the worship of God into what is virtually a political caucus, when he attempts to lead the church as a religious organization into the train of any candidate for office, he is doing a great and irreparable harm to the cause of religion. I endeavor to write guardedly; I would not accuse any man of consciously doing these things. But it cannot be denied that there are tendencies in this direction; and in time these tendencies, if not checked, will result in a more or less complete demoralization of the clergy and secularization of the church. That will be a fatal day. We shall then see ministers of the gospel indulging in the vituperation that a recent writer in this REVIEW has so sharply denounced as the most shameful feature of our modern politics. "Party discipline" will teach them to condone immoralities on their own side, and to repeat slanders against the other side. A lack of worldly experience, combined with a professional habit of rhetorical statement, will produce an *odium politicum*, compared with which the traditions of the extinct *odium theologicum* will seem like the stories of a Golden Age. We shall see the stewards of the bread of life waiting for the crumbs that fall from Cæsar's table, and hear the notes of the gospel trumpet blending with the blare of political brass bands. We shall have churches constructed on party lines, where none shall enter unless they vote the right ticket, where the acts of the candidates will be expounded more frequently than the Acts of the Apostles, where the great revivals will occur in every fourth year, and the most urgent question will always be (with an eye to the main chance), "What shall the harvest be?"

May that evil day be far distant! May an enlightened Christian sentiment, and that sense of reverence for the church

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in the purity of her ideal life which still exists, not only among the clergy, but also (and perhaps even more generally) among the wise and thoughtful laity, protest against these tendencies, and call a halt upon every man who would take even a single step in this direction. The kingdom of Christ must not be brought down to the level of the kingdoms of this world. Its mighty influence must not be imperiled for the attainment of secular ends. Its purity must not be sullied, its divine independence must not be sacrificed, by political alliances. Within its walls there must be neither Republican nor Democrat, Barbarian nor Scythian, bond nor free, but all must be one in Christ Jesus. And all its energies must be devoted to the great work of redeeming and purifying human lives. I believe that the interests or religion are supreme above all other interests. I care more for the honor and power of the holy church of Christ than for any other cause on earth. And I had rather see all political parties buried together in a common grave than suffer one blot to fall upon the purity of the church, or see her sway over the hearts of men impaired or weakened by a single degree. May my right hand forget her cunning and my tongue cleave to the roof of my mouth when I am drawn by allurements from without, or driven by dictation from within, to swerve by a hair's-breadth from the preaching of religion, or to range the royal, blood-stained banner of Christ among the flags and ensigns of a political procession.

HENRY J. VAN DYKE, JR.

THERE are two orders of Christian ministers — the hierarchical and the fraternal. The fraternal minister has influence simply by what he is in original endowment and by education. Like men in all other professions, his influence is the legitimate influence of his personal character and his professional skill. All this the hierarchical clergy have; but over and above all natural talent, they receive, by virtue of ordination, an authority directly from God, to announce truth, and to convey through ordinances certain invaluable graces and spiritual gifts that come to men only through such channels. Such divine special endowments lift them above their fellow-men. They constitute

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a spiritual nobility. In all matters of religion they are to men as the voice of God.

Now, though it is quite possible to imagine that in common affairs, not within the sphere of revealed religion, they may have a place as citizens, and may take part and lot in the ordinary duties and privileges of citizens in a free country, yet it is difficult to prevent the imagination of men from conceiving that a priest is still a priest while acting as a citizen, and that he is unfair, in that he brings the authority of the religious sphere to bear upon politics and civil administration. And this impression is intensified from the fact that the church and the state in other lands have been, and still are, united. It has been a prudent practice in America that priests should not carry their priestly influence into politics. This has been the prevailing practice among Catholic priests and among Episcopal clergymen. Setting all these aside, and not entering into the question whether in our day and under our institutions the priest may not profitably strip himself of his priestly character, and like the unconsecrated citizen take a full share of political action, we wish to point out how utterly without any professional excuse are all Protestant clergymen who renounce the sacramental theory, and who regard themselves in no sense as a class set apart from common men, other than is the lawyer, the physician, the artist, the engineer, or the mechanic.

In theory, Protestant clergymen are moral teachers, whose influence depends upon their original endowment, their education, their moral influence, and their wisdom. They are simply men among men. They are above men by no ordination. They receive no prerogatives of God. Their whole force lies in the wisdom and goodness of their lives. It was Paul and Barnabas that cried out at Lystra, "We also are men, of like passions with you." It was Paul that declared of his moral power, "We have this treasure in earthen vessels." While the clergyman is a consoler, a counselor, a nurse to the young, a guide to morality, he is, before all things, and professionally, a teacher, a moral teacher; and it is in this view that his rights and duties must be discussed.

There are several things that must be taken for granted in discussing the right and duty of the American clergyman to take part in politics. It is to be assumed that he has common sense; that each man is at liberty to determine the best method

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of employing his influence, whether by private conversation, or by preaching from the pulpit, or by his pen, or by public speech from the platform. It is taken for granted that a clergyman knows enough to discriminate between the aims of political action and the mere instruments by which those aims are sought to be accomplished, and that he has the ordinary prudence that guides men in selection of time and place and other circumstance. With these preliminaries I would argue:

First. That all procedure which puts clergymen into a class and pretends to elevate them above their fellow-men, and by reason of their holy function frees them from contact with the ordinary duties of humanity, is most pernicious, both in its philosophy and its morality, and nowhere so emphatically as in America and under our Government. No man is to be known before the law, in our land, as a member of any class, and though in fact there are exceptions, they are wrong, and should be abrogated. The clergyman, in the eye of the law, is simply a citizen, as is the physician, the lawyer, the teacher, the engineer. Public convenience may demand that doctors and teachers should not be subject to military service; but it is not for any reason in them, but because their functions involve the safety of large portions of the community. The law wisely regards simple citizenship, and not the occupation of the citizen. Of all ungracious pleas for exemption, that is the most pernicious that pleads the sanctity of the clerical office, as if there was a holiness in it that relieved the clergyman from the common duties of citizenship.

Second. With all the more force will these views apply to the clergyman in a land where the body of citizens have laid upon them the solemn responsibility of determining the laws, of securing their execution, of electing the magistrates and executive officers, and of forming the whole policy of the state. No man has a right to be an exempt. No man has a right to put contempt upon the political duties of the citizen, least of all the clergyman! Certainly there are many disagreeable things demanded of a patriotic citizen. He must act upon an equality with his fellow-men, however plain or even low or vulgar they may be. Before the ballot-box, as before the altar, all men are equal — the drunkard and the temperate, the judge and the vagrant, the coarse and the refined, the educated and the ignorant. To separate one's self from one's fellows may be allowable in many social relations, in the sanctuary of home, and in

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groups gathered by elective affinity. But all the more important is it that all those duties which bring men together in common duty, common citizenship, and common humanity, should be vigorously maintained. If by reason of superior endowments, advantages of wealth, attractions of refined leisure, or relish of literary or philosophical pursuits, men grow unwilling to mingle with their fellow-men or to take up political tasks and burdens, refusing to perform amply and continuously their political duties, they do in fact remit to the less fit, and to the positively unfit, the whole care of the state, its politics, magistracy, and morality. This is distributive treason. When this long procession of selfish men — the rich man, in his self-indulgence; the artist, in his daintiness; the scholar, in his literature; the fashionable and the indolent, in their glittering selfishness — are seen moving away from politics, it will only need a robed and recreant clergyman at their head to form a band of infamy, trampling under foot the very life of their country!

Third. Because he is by profession a moral teacher, the clergyman should be an example to his flock, of conscientious, patient duty performed, and from him they should receive both incitement and instruction. The man that preaches only an abstract gospel is but a pulpit cypher. It is the gospel applied that clergymen should preach. Christian ethics is the very soil out of which all graces of spirituality grow. Modern notions of the dignity of the pulpit have well-nigh disrobed the pulpit of its legitimate power. The man in the pulpit should be a man from among men, in full sympathy with his fellow-men, not ignorant of their trials and stumbling difficulties, and able to fortify men against the temptations peculiar to every walk of life. His parishioners are not in half so much danger of falling into false theology as into false weights and measures, into selfishness, animosities, revenges, and all forms of unjust conduct. There would have been fewer Christian men in the penitentiary to-day if the pulpit had succeeded in establishing in men's minds a clearer idea of what is safe and lawful in business. Less dogma, more morality! The world to come must be reached by a wise walking in the world that now is. In like manner a minister should instruct his people in political duty and in their political dangers. Two elements are needed to exalt politics from the low level at which it now exists: the influence of woman, and of a faithful pulpit. Such themes as these, at suitable times, should be discussed as belong-

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ing to Christian ethics: 1. The meaning of citizenship, its responsibilities and duties. 2. The sin of bribery. What is bribery? and what are the kinds and shades of it? 3. The vote, its meaning and value. The purchase of votes, the throwing away of votes. 4. Shadrach, Meshach, and Abednego types of Christian men walking in the fierce fires of a political canvass. 5. Injustice and slander in politics, and all forms of revenge. 6. The distinctions between principles and policies in the state. 7. The sin of withdrawing from all participation in politics. 8. Clergymen are the guides of their people in the ethics of daily affairs. 9. Race question — the duty of superiors to inferiors. 10. The hindrance or the destruction of the weak by the strong is of the very essence of a malignant infidelity, a crucifying of the very heart of Jesus. If it be said that clergymen are ordinarily unfitted to discuss such themes, then, in our age and in our country, they are unfit to preach the gospel.

Fourth. It would be well for ministers of religion if they studied the life of Christ more and theology less. Jesus was no dainty teacher in professional robes. Born to poverty and labor, he never forsook his mates. He lived among them; he ate and drank with them; he preached to them of their special sins and special duties; he refused the dignity of rabbiship, and to the end was a man among men. He rebuked rulers; he exposed hypocrites and pretenders in high places; he meddled with the temple, the altar, the officers thereof; and in Galilee and in Judea, alike among peasants, fishermen, and scholars, he laid down the great ethical laws on which should be built a sound practical morality. Little like him will be his professed preachers that talk long and loud of philosophy and theology, but whisper softly in muffled pulpits of the duties of morality of every-day life, and think themselves holy in proportion as they neglect Christ's example of life and teaching. If ever there was a stern and practical moralist, it was John the Baptist. Christ's criticism of him is significant. What went ye out to see? a reed shaken in the wind, a pulpit marvel, a tremulous, an incessant quivering novelty? A man clothed in soft raiment? a robed, cushioned, fashion-loving priest, teaching the respectabilities of fashionable society? No, a prophet, a stern teacher of rigorous morality in all its phases and applications. Yea, more than a prophet, a man that loved righteousness and hated all shams and elegant dishonesties.

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Fifth. The example of American clergymen in the Colonial days, through the Revolution, and afterward, until the mephitic gas of slavery had well-nigh suffocated the pulpit, is instructive. Ministers in New England were the counselors of the magistrates. They were expected to teach their people what were their political duties, as before them, in England, the Puritan clergy had aided in establishing civil liberty upon religious foundations. To-day the pulpit is regaining its old American tone. In single instances it may work harm; but no harm of injudicious men can be half so harmful as a pulpit without a message to common people about their daily duties, their common temptations, and above all, without a word of instruction to men as citizens fulfilling their sublime duties to the laws, to the magistracy, and to the policy of this great nation.

It is objected, that a practical union of church and state is likely to result from meddling ministers. No more than from meddling lawyers, meddling doctors, meddling school-masters. On the other hand, the very way to induce the evils feared is by erecting into a privileged class men who assume to be too holy to meddle with affairs that belong to common citizens.

It may be said, that the minister has an unfair advantage; that his audience cannot reply; that he can exert a partisan influence which will offend, divide, and break up a church. All this is quite true; but it could only happen to one without skill, prudence, or tact. It is an argument against the misperformance of duty, and not against the imperative duty. If a clergyman waits till sides are taken, till men's passions are aroused, and then assails or defends, he will show an utter want of common sense. He must instruct his people in the duty of citizens, as part of his yearly task; he must educate them to a conscience in all political action; he must exalt the duties of patriotism; must make distinction between good men and bad, long before hot and turbulent times arise. As a general thing, instruction from the pulpit upon political duty should not be given on the eve of an election. When the lines are drawn, and the air is lurid and torrid, the pulpit should be silent, and the clergyman should exert his influence through some other channel. In tranquil times, between great political campaigns, if ministers would give to their people such discussions as abound in Dr. Francis Lieber's text-books, there would be neither complaint nor disturbance.

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